

St. Louis-headquartered Bryan Cave LLP and U.K.-based Berwin Leighton Paisner have agreed to merge and will launch a new fully integrated transatlantic firm in April, the firms announced on Monday. [Read more »](#)

### **Ex-Dechert Client Seeks Subpoena For Leaked Letter's Source**

A former Dechert LLP client petitioned a California federal court on Friday to subpoena a correspondent for a British paper to discover how he obtained an allegedly damaging letter penned by the firm, claiming after an "acrimonious" split with Dechert, the firm "had an apparent motive to leak the letter." [Read more »](#) = 9

#### **JOBS**

[Search full listings or advertise your job opening](#)

Not sure if your firm subscribes? Ask your librarian.

We hope you found this message to be useful.  
However, if you'd rather not receive future emails of this sort,  
[you may unsubscribe here.](#)

Please DO NOT reply to this email. For customer support inquiries, please call 1-646-783-7100 or visit our [Contact Us](#) page.

Law360 | Portfolio Media, Inc. 111 West 19th Street, 5th Floor, New York, NY 10011

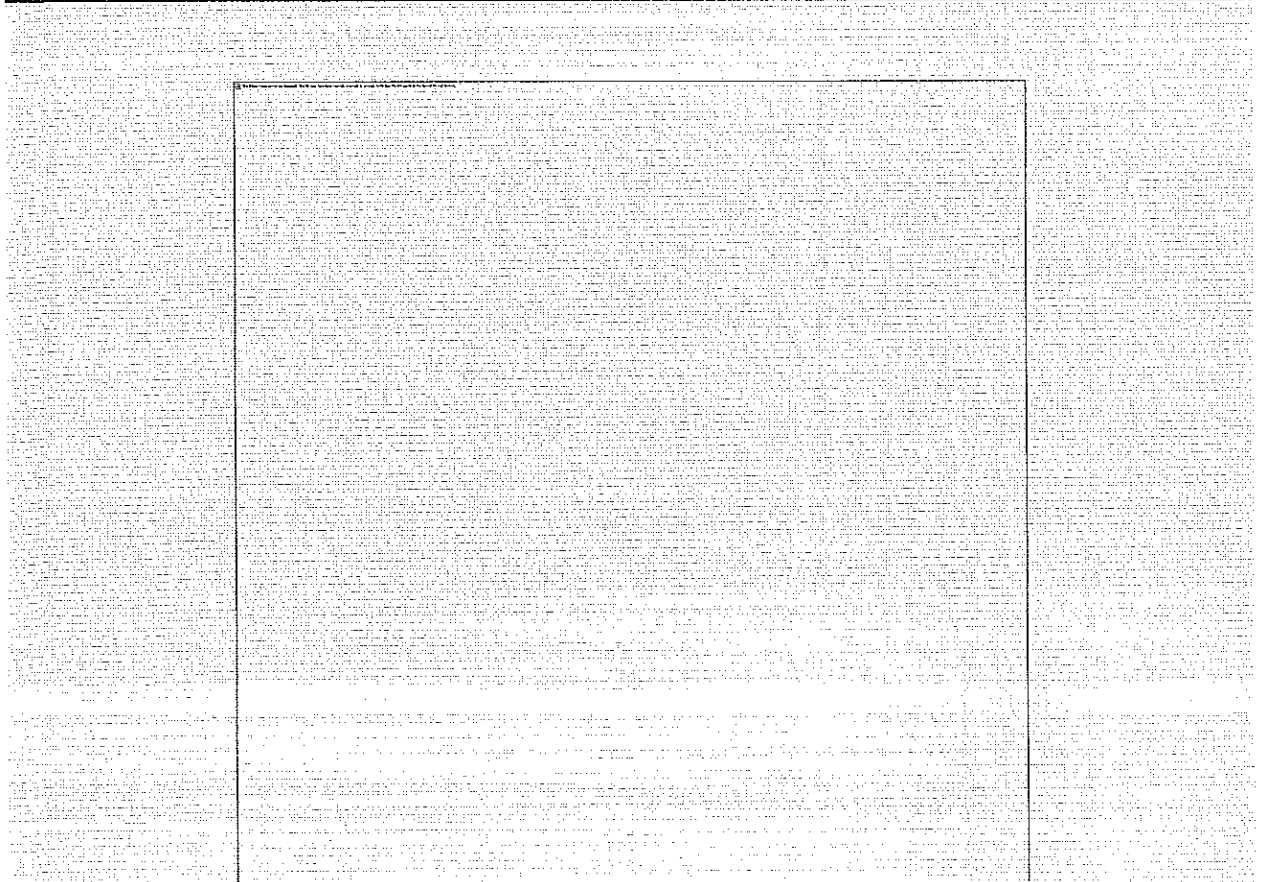
**From:** Morning Consult

**Sent:** Tuesday, February 27, 2018 8:46 AM

**To:** Rep93

**Subject:** Morning Consult Washington: Background-Checks Bill in Senate Faces Hurdles on Both Sides of the Aisle

**Attachments:** ATT00001.txt; ATT00002.htm



By Eli Yokley

## Top Stories

- Legislation sponsored by Senate Majority Whip John Cornyn (R-Texas) that would encourage states and federal agencies to submit criminal-conviction records to the National Instant Criminal Background Check System ran into new hurdles, raising doubts over the ability of Congress respond to the school shooting in Parkland, Fla. Some Democrats suggested they might withhold their support amid worries Republicans would not pass other gun-control measures, while some conservative Republicans like Sen. Mike Lee of Utah and Sen. Rand Paul of Kentucky raised concerns over the appeal process for people flagged under a strengthened background check system. ( [The Wall Street Journal](#) )
- White House communications director Hope Hicks is scheduled to be interviewed privately by the House Intelligence Committee today as part of its investigation into Russian interference in the 2016 election, according to two unnamed House officials. Rep. Adam Schiff of California, the top Democrat on the committee, said the panel wants to ask her questions about events and conversations during her time on Trump's campaign and as part of the administration. ( [Bloomberg](#) )
- A special primary election is being held today in Arizona's 8th District to select the candidates to run in an April 27 special election to replace former Rep. Trent Franks (R), who resigned in December amid allegations of sexual misconduct. Former state Sens. Steve Montenegro and Debbie Lesko are the frontrunners among the dozen GOP candidates, while two Democrats are seeking their party's nod. ( [The Associated Press](#) )
- Chris McDaniel, a Republican state senator in Mississippi, is expected to announce this week that he will challenge Sen. Roger Wicker (R-Miss.) for the Republican nomination for Senate this year, according to two unnamed sources. McDaniel ran an

unsuccessful campaign for the party's nomination for Senate in 2014 against Sen. Thad Cochran (R-Miss.). ([Politico](#))

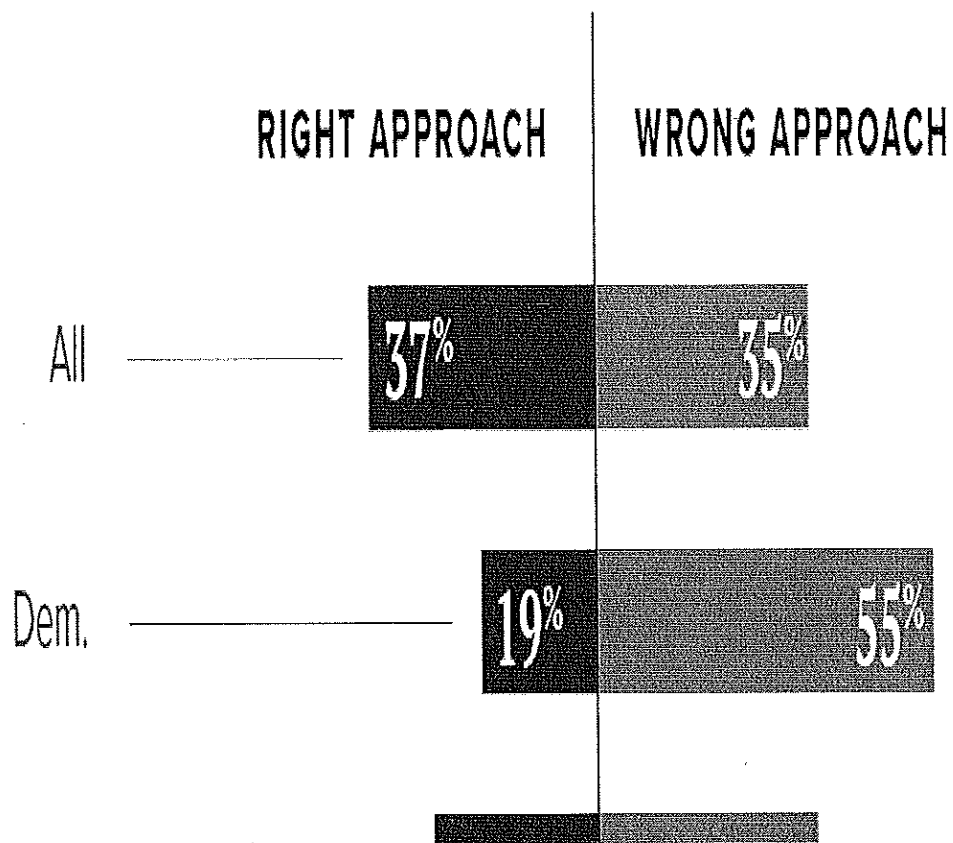
---

## Chart Review

**Trump's Economic Policy Toward China Elicits Mixed Reviews From Americans**  
**Morning-Consult**

# Republicans Confident in Trump on China

Is President Donald Trump taking the right or wrong approach to the U.S. economic relationship with China?



## Events Calendar (All Times Local)

### TUESDAY

Sens. Cornyn, Hatch, governors participate in U.S. Chamber of Commerce Invest in America Summit 8 a.m.

CBO director testifies at House Budget Committee hearing 10 a.m.

House Energy and Commerce subcommittee hearing on energy infrastructure 10 a.m.

Sens. Carper, Merkley participate in Electric Drive Transportation Association event 12 p.m.

### WEDNESDAY

Sen. Peters, Rep. Walden participate in Axios event on self-driving cars 8 a.m.

Sen. Coons participates in Hudson Institute event on foreign policy 11:30 a.m.

### THURSDAY

U.S. Chamber of Commerce hosts aviation summit 7 a.m.

Reps. Fitzpatrick, Guthrie, Kuster participate in U.S. Chamber of Commerce event on opioid crisis 8:30 a.m.

Fed's Powell testifies at Senate Banking Committee hearing 10 a.m.

Senate Environment and Public Works Committee hearing on  
infrastructure framework

10 a.m.

**FRIDAY**

No events scheduled



## **A data-driven look at the future of mobility**

An exclusive look at new survey research data that explores consumer receptivity to auto industry innovations, including electric and self-driving cars, energy sources, and even auto insurance.



## **General**

### **U.N. Links North Korea to Syria's Chemical Weapon Program**

**Michael Schwartz, The New York Times**

North Korea has been shipping supplies to the Syrian government that could be used in the production of chemical weapons, United Nations experts contend. The supplies include acid-resistant tiles, valves and thermometers, according to a report by United Nations investigators.

### **State Department point man on North Korea, Joe Yun, to retire Friday**

**Anna Fifield, The Washington Post**

The State Department's point-man on North Korea, Joseph Yun, will leave his post on Friday, even as there are glimmers of hope that Pyongyang might finally be willing to sit down for talks with Washington. Yun, 63, is retiring as special representative for North Korea policy and deputy assistant secretary for Korea and Japan after more than three decades of service.

### **Supreme Court Hears Case on Public-Sector Union Fees**

**Jess Bravin, The Wall Street Journal**

The power of public-sector unions hung in jeopardy Monday after Supreme Court arguments put front and center the raw politics behind a dispute over payroll deductions that support collective bargaining. Justice Anthony Kennedy ticked off an agenda he suggested public-sector unions bring when they bargain with state and local government: "for a greater size workforce, against privatization, against merit promotion, for teacher tenure, for higher wages, for massive government, for increasing bonded indebtedness, for increasing taxes."

**Education Department Launches Investigation Into How MSU  
Handled Larry Nassar Abuse**  
**Alanna Vagianos, HuffPost**

The Education Department announced on Monday that it will open an investigation into Michigan State University and how the school handled reports of child sexual abuse involving former doctor Larry Nassar. "This new Title IX investigation will look at systemic issues in the University's handling of sex-based incidents involving Dr. Larry Nassar," Secretary of Education Betsy DeVos said in a press release.

**Housing official says she was replaced for rejecting Carson's  
costly office redecoration**  
**Jon Swaine and Ben Jacobs, The Guardian**

A senior career official in the US Department of Housing and Urban Development has alleged that she was demoted and replaced with a Donald Trump appointee after refusing to break the law by funding an expensive redecoration of Ben Carson's office. Helen Foster said she was told "\$5,000 will not even buy a decent chair" after informing her bosses this was the legal price limit for improvements to the HUD secretary's suite at the department's Washington headquarters.

---

## **Presidential**

**Trump to host Macron for first state visit since taking office**  
**Lisa Hagen, The Hill**

The White House confirmed Monday that French President Emmanuel Macron has been invited for the first state visit of President Trump's administration. Macron and first lady Brigitte Macron will visit the the White House on April 24, White House press secretary Sarah Huckabee Sanders told reporters at Monday's briefing.

**Bizarre legal brawl intensifies at Trump hotel in Panama**  
**Joshua Partlow and David A. Fahrenthold, The Washington Post**

Last Thursday afternoon, the majority owner of the Trump International Hotel here in Panama arrived unexpectedly in the building's swank Sky Lobby with an entourage. He wanted to fire the Trump Organization, which has managed the hotel since it opened in 2011.

**Trump's Tax Cuts in Hand, Companies Spend More on Themselves Than on Wages**  
**Matt Phillips, The New York Times**

President Trump promised that his tax cut would encourage companies to invest in factories, workers and wages, setting off a spending spree that would reinvigorate the American economy. Companies have announced plans for some of those investments.

---

## **Senate**

**Background-Checks Bill Runs Into Hurdles in Congress**  
**Kristina Peterson and Michael C. Bender, The Wall Street Journal**

Legislation designed to improve background checks for gun purchases ran into new hurdles Monday, raising doubts about lawmakers' ability to act in the wake of the Florida school shooting. The background-checks bill, sponsored by Sen. John Cornyn (R., Texas), would encourage states and federal agencies, including the military, to submit criminal-conviction records to the National Instant Criminal Background Check System, or NICS.

**Fate of Manchin-Toomey background check proposal hinges on Trump, lawmaker says**  
**Cristiano Lima, Politico**

Sen. Joe Manchin (D-W.Va.) said Monday the fate of a bipartisan bill to expand background checks on gun sales that repeatedly failed to pass through the Senate is now in the hands of President Donald Trump. Manchin expressed an openness to revive the proposal, which would expand firearm background checks to include online sales and gun shows, but said the proposal would need backing from the White House to gain traction in Congress.

### **GOP showdown: McDaniel expected to challenge Wicker for Senate**

**Alex Isenstadt, Politico**

Mississippi Republican Chris McDaniel is expected to announce later this week that he will wage a 2018 primary challenge against GOP Sen. Roger Wicker, according to two people briefed on his plans. McDaniel, a conservative state senator who waged an unsuccessful 2014 primary against longtime GOP Sen. Thad Cochran, has scheduled a rally on Wednesday afternoon in Ellsville, Miss.

## **House**

### **Hope Hicks to Appear Before House Intelligence Panel, Officials Say**

**Billy House, Bloomberg**

White House communications director Hope Hicks is scheduled to be interviewed privately Tuesday by the House Intelligence Committee, which is investigating Russian interference in the 2016 election, according to two House officials familiar with the matter. Her appearance before the committee is scheduled for 10 a.m., said the officials, who asked for anonymity to discuss the plans.

### **Sex, campaign funding scandals dog US House race in Arizona** **Bob Christie and Anita Snow, The Associated Press**

Sex-related and campaign funding allegations involving several top candidates have captured much of the attention in the Republican primary to replace a U.S. congressman from Arizona who quit amid charges of sexual misconduct last year. Because the state relies heavily on mail-in ballots completed before the revelations against two of the lead contenders surfaced, it's unknown how much of an impact they will have on Tuesday's special contest to replace Rep. Trent Franks in the 8th Congressional District.

**Most House Democrats get behind effort for new assault-weapons ban**

**David Weigel, The Washington Post**

A supermajority of House Democrats - 156 members of the 193-member conference - have signed on to a new bill that would restore and build on the expired ban on "assault weapons." The legislation, introduced by Reps. David N. Cicilline (D-R.I.) and Ted Deutch (D-Fla.), gained support over the weekend as most Democrats were at home in their districts.

**After Florida shooting, U.S. Rep. Kay Granger of Texas proposes funding metal detectors in schools**

**Rishika Dugyala, The Texas Tribune**

U.S. Rep. Kay Granger, R-Fort Worth, said Monday she'll introduce legislation to create a federal grant program for schools interested in installing metal detectors after the Feb. 14 Florida school shooting that took 17 lives. In an interview with The Texas Tribune, Granger said the proposal - which she hopes to submit by the end of next week - would fully fund the installation for schools that have their detailed security plans approved by federal officials.

---

## **States**

**Twenty states sue federal government, seeking end to  
Obamacare**  
**Eric Beech, Reuters**

A coalition of 20 U.S. states sued the federal government on Monday over Obamacare, claiming the law was no longer constitutional after the repeal last year of its requirement that people have health insurance or pay a fine. Led by Texas Attorney General Ken Paxton and Wisconsin Attorney General Brad Schimel, the lawsuit said that without the individual mandate, which was eliminated as part of the Republican tax law signed by President Donald Trump in December, Obamacare was unlawful.

**Washington governor confronts Trump at White House**  
**Jordan Fabian, The Hill**

Washington Gov. Jay Inslee (D) confronted President Trump on Monday over his proposal to arm educators in order to prevent future school shootings. Inslee stood and objected to the controversial idea during a meeting with the nation's governors at the White House, telling Trump that law-enforcement agencies and instructors are both alarmed by the idea of teachers "packing heat" around young children.

**Rick Scott gets gun control makeover**  
**Marc Caputo, Politico**

Florida Gov. Rick Scott broke with President Donald Trump over the question of gun-toting educators. He's ticked off the National Rifle Association. Suddenly, he's in good graces with the state teachers union, his longtime adversary.

**Missouri House forms panel to investigate Gov. Greitens**  
**David A. Lieb and Jim Salter, The Associated Press**

The Missouri House formed a special panel of seven lawmakers on Monday to investigate Gov. Eric Greitens following an invasion-of-privacy charge alleging he took a nonconsensual photo of a woman in a compromising position. The committee, which will have subpoena

powers, will determine whether to initiate impeachment proceedings against the Republican governor to try to remove him from office.

**Indicted Maryland senator is stripped of his committee assignments**

**Ovetta Wiggins, The Washington Post**

Maryland Sen. Nathaniel Oaks (D-Baltimore City), who is facing federal corruption charges, was stripped of his committee assignments on Monday night following an inquiry by the Joint Committee on Legislative Ethics. Oaks, who did not attend Monday's session, will no longer serve on the Senate Finance Committee.

**Ex-Cuomo aide Joseph Percoco gets one charge tossed in corruption case**

**Victoria Bekiempis, New York Daily News**

The federal judge presiding over former Gov. Cuomo aide Joseph Percoco's corruption case has thrown out one of the counts against him. Manhattan Federal Judge Valerie Caproni decided Monday to dismiss a count alleging that Percoco used his official power to get bribes from Syracuse developers Steven Aiello and Joseph Gerardi, in exchange for favors.

**Holder group sues Walker for not holding elections in Wisconsin**

**Edward-Isaac Dovere, Politico**

The National Redistricting Foundation sued Gov. Scott Walker of Wisconsin on Monday for not holding special elections for two state Legislature seats. The seats, left vacant by an assemblyman and state senator who resigned in December to take jobs in Walker's Republican administration, will otherwise remain open until January 2019, following the regularly scheduled elections for the seats in November.

## **Advocacy**

### **Luther Strange makes play to return to D.C. Andrew Restuccia and Daniel Strauss, Politico**

Voters sent Luther Strange back to Alabama last year, but the former senator is quietly plotting a return to Washington. Strange, who had been appointed to the seat vacated by Attorney General Jeff Sessions but was defeated by Roy Moore in the Republican primary in September, has been on the hunt for a job in Washington over the past few weeks, according to three people familiar with his plans.

### **Bipartisanship through beer Megan R. Wilson, The Hill**

"You have to be patient," Craig Purser, the chief executive of the National Beer Wholesalers Association (NBWA) says, admiring the thick layer of foam on top of the beer in his glass and noting the sensory benefits that come along with it. People don't realize that, Purser adds as he leans against his in-office bar, watching the froth slowly recede.

---

## **Opinions, Editorials and Perspectives**

### **Railroads Provide Infrastructure Example John J. Lee and Andy Schor, Morning Consult**

Over the next two weeks, the nation's transportation secretaries and county commissioners will meet in Washington, D.C., to discuss issues of mutual concern and make their voices heard to Congress. One issue of great importance to each of these groups is infrastructure-the state of America's roadways, bridges, airports and waterways.

### **How Republicans Can Win the Midterms Charlie Mahtesian, Politico**



There are so many signs of a coming rout in the House in November that it's almost impossible to envision any way for Republicans to hang onto their 24-seat majority. And yet a faint outline of how the party might pull it off is nevertheless taking shape.

**California's Democratic Tea Party**  
**The Editorial Board, The Wall Street Journal**

Democrats are having their Tea Party moment, if that isn't unfair to the Tea Party. The Democratic Party is moving sharply left in response to President Trump, as activists look to purge politicians they don't think are partisan or progressive enough.

**We All Must Live With Mitch McConnell's Proudest Moment**  
**The Editorial Board, The New York Times**

Remember when the Senate confirmed Barack Obama's Supreme Court nominee, Merrick Garland, the veteran federal appeals court judge, to replace Justice Antonin Scalia, who died suddenly two years ago this month? It was a brilliant tactical move by Mr. Obama - picking a moderate, widely respected jurist who had won the highest praise from top Republicans, and giving the court a majority of Democratic-appointed justices for the first time in nearly half a century.

**The Nunes memo continues to backfire**  
**Editorial Board, The Washington Post**

Republicans have conducted a campaign of misdirection and innuendo in a partisan effort to help President Trump discredit the Justice Department and the FBI. There was already ample evidence of this before Saturday.

---

## **Research Reports and Polling**

## **Public Split on Basic Income for Workers Replaced by Robots** **RJ Reinhart, Gallup**

Americans are split in their support for a hypothetical universal basic income (UBI) program that would guarantee a minimum income for workers who lose their jobs because of advances in artificial intelligence (AI). Forty-eight percent support and 52% oppose a UBI program for workers who are displaced by technology.



This email was sent by: Morning Consult  
PO Box 27068 Washington, DC, 20038, US

[Manage your email preferences](#)

**SUBSCRIBE**

~~~~~  
~~~~~  
~~~~~  
~~~~~

!!!! Unsubscribe

!!!!

It appears that you have subscribed to commercial messages from this sender. To stop receiving such messages from this sender, please unsubscribe : <[~~~~~  
~~~~~  
~~~~~  
~~~~~](http://secure-web.cisco.com/1JkolGIf0mT_sZDwCMbzo9Y7rcDKB4M5NZbVYfsvrzUk2P2FvK8ABeSL1fJ7YBf4twAhENgr6wGQNYsG8YPDRcpQ94ykCIY0gNR0d7Yovj7VcbfWnFyFp8Mqf5r1uB8wvlTeKsqdQ2wNYHzwdGMKMMTGMD47pla4g7uQRvk-z-xyHUwXIBJr0JKOffCwZgF3rrnJ2KGaZqM3QEY5fHf1LPuaZW3awQLZ3Nn75A3etCHLcSRcVif1s22mArZ_CbCseKOWaTfVYmBhsR4UzKS1ZUY-7-Av0lMmc3dmnrPraxpRJpVxOdtlHAFaAArKEmXG6Dzq6ns2NaGMZVPtMiGNhMx-vz-EqBOG2dYubp3Vfj5sSDK1uRbO4DXUx6h3PruDlLiWbpvPigdfWzk5B30-oEdHBKSPcWTfxmIqOIhhuzWkoZVFZVXkD07JVTDpocJeT5ihme-IWL47nztbxGt3dg/1126%3Amailto%3Aleave-fd23157175626b2531492c-fe65107170640c797510-fec3177376600375-fe9413727161047c7d-ffcf14%40leave.e.morningconsult.com186%3Ahttps%3A%2F%2Fclick.e.morningconsult.com%2Fprofile_center.aspx%3Fqs%3D1d36eeee652102200a0d8d6ebc6f06003913205fcdd46d507e3569c065209ec464b04b6db18a643453a22a3e5717c56cfc42f870a414e8e8b89ed8612fdd2f16135%3Ahttps%3A%2F%2Fclick.e.morningconsult.com%2F%3Fqs%3Dd073fdb19c534e5d81a1bc2379448fdde40d75ebdb00034c6c21cbb6443cae1639d75138f7622fac93abe9462ee2227e></a>></p></div><div data-bbox=)

<div style="border: 1px solid;margin: 10px 0px;padding: 15px 10px 15px 50px;background-repeat: no-repeat;background-position: 10px center;color: #9F6000;background-color: #FEEFB3;font-family: Arial, Helvetica, sans-serif;">

<p style="font-size: 18px;">Unsubscribe</p>

<p style="font-size: 13px;">It appears that you have  
subscribed to commercial messages from this sender.

To stop receiving such messages from this sender, please <a  
href=http://secure-  
web.cisco.com/1JkolGIf0mT\_sZDwCMbzo9Y7rcDKB4M5NZbVYfsvrzUk2P2FvK8  
ABeSL1fJ7YBf4twAhENgr6wGQNYsG8YPDRcpQ94ykCIY0gNR0d7Yovj7VcbfWnFyF  
p8Mqf5rluB8wvlTeKsqdQ2wNYHzwdGMKMMTGMD47pla4g7uQRvk-z-  
xyHUwXIBJr0JKOffCwZgF3rrnJ2KGaZqM3QEY5fHf1LPuaZW3awQLZ3Nn75A3etCH  
LcSRcVif1s22mArZ\_CbCseKOWaTfVYmBhsR4UzKS1ZUY-7-  
Av0lMmc3dmnrPraxpRJpVxOdtlHAFaAArKEmXG6Dzq6ns2NaGMZVPtMiGNhMx-vz-  
EqBOG2dYubp3Vfj5sSDK1uRbO4DXUx6h3PruDlLiWbpvPigdfWzk5B30-  
oEdHBKSPcWTfxmIqOIhhuzWkoZVFZVXkD07JVTDrPocJeT5ihme-  
IWL47nztbxGt3dg/1126%3Amailto%3Aleave-fd23157175626b2531492c-  
fe65107170640c797510-fec3177376600375-fe9413727161047c7d-  
ffcf14%40leave.e.morningconsult.com186%3Ahttps%3A%2F%2Fclick.e.mo  
rningconsult.com%2Fprofile\_center.aspx%3Fqs%3D1d36eeee652102200a0  
d8d6ebc6f06003913205fcdd46d507e3569c065209ec464b04b6db18a643453a2  
2a3e5717c56cfc42f870a414e8e8b89ed8612fdd2f16135%3Ahttps%3A%2F%2Fc  
lick.e.morningconsult.com%2F%3Fqs%3Dd073fdb19c534e5d81a1bc2379448  
fdde40d75ebdb00034c6c21cbb6443cael639d75138f7622fac93abe9462ee22  
27e>unsubscribe</a></p>

</div>

From: Max.Behlke@ncsl.org

Sent: Tuesday, February 27, 2018 10:31 AM

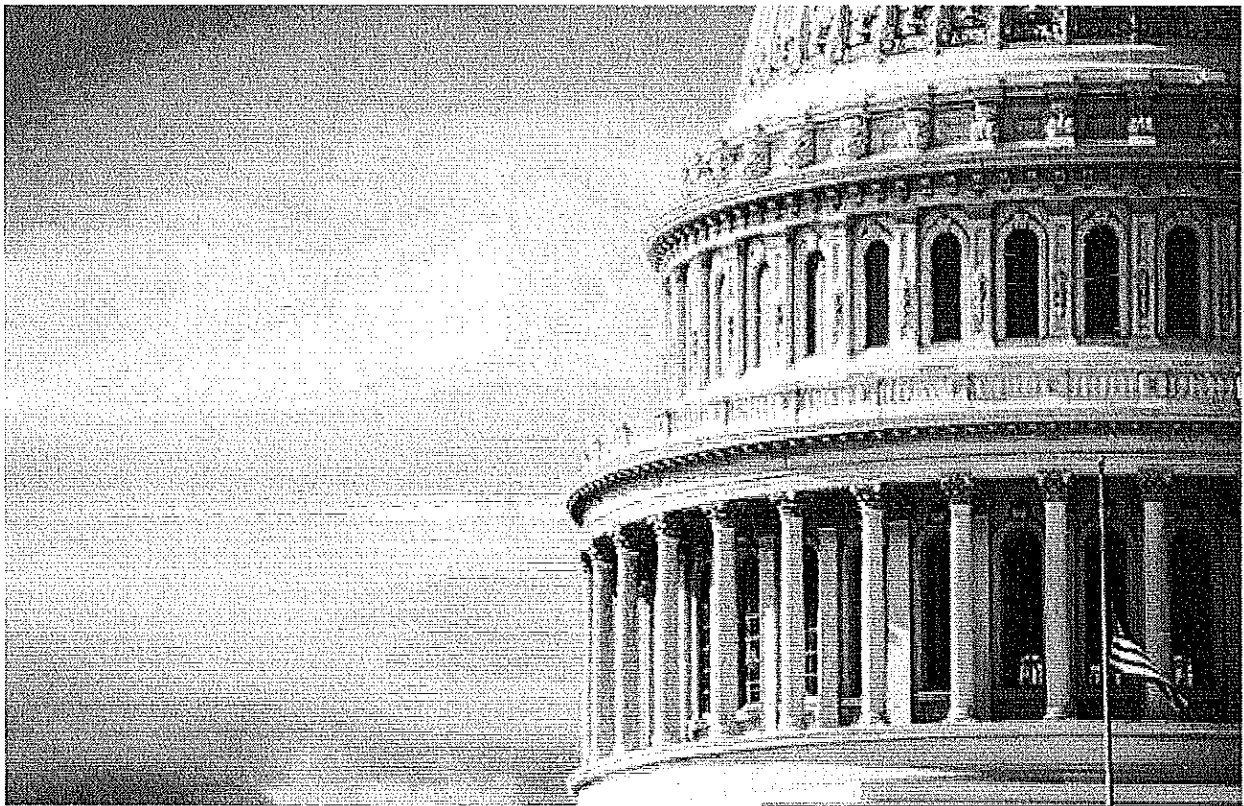
To: Rep93

Subject: Cap to Cap: This Week: Gun Control and Remembering the Rev. Billy Graham



## CapitoltoCapitol

NATIONAL CONFERENCE of STATE LEGISLATURES



Feb. 27, 2018

*In This Issue:*

**This Week: Gun Control and Remembering the Rev. Billy Graham**

**US Supreme Court Hears Arguments in Union Dues Case**

**White House Meeting on School Safety**

**Supreme Court to Hear Online Sales Tax Case in April**

**DACA and Immigration Debate Stalls in Senate**

**Congressional Appropriators Race to March 23 Deadline**

**House Republicans Signal Willingness to Negotiate with Senate on Banking Reform Measures**

**Also of Note...**

**This Week: Gun Control and Remembering the Rev. Billy Graham**

Congress returned yesterday from its Presidents' Day recess, which was dominated by the issue of gun control. Since the Feb. 14 shooting at Stoneman Douglas High School in Parkland, Fla., the nation has been immersed in an intense debate on what to do to prevent future school shootings. However, don't expect Congress to act this week. While the Senate will be in session all week, the House will conclude business today to make way for the remembrance of Rev. Billy Graham, who will become only the fourth private citizen to lie in honor in the Capitol Rotunda on Wednesday and Thursday.

**US Supreme Court Hears Arguments in Union Dues Case**

Perhaps the most significant debate on Capitol Hill this week will take place yesterday in the U.S. Supreme Court. The decision could not only affect every member of a public sector union but also result in the largest shift in federal education policy in 40 years.

On Monday, the U.S. Supreme Court heard oral argument in Janus v. American Federation of State, County and Municipal Employees (AFSCME) Council 31. Mark Janus, a public-sector employee in Illinois, is challenging the constitutionality of a state statute allowing public sector employers and unions to agree that employees who don't join the union must still pay their "fair share" of collective bargaining costs. Janus argues that

requiring him to pay his "fair share" of union dues is a violation of his First Amendment free speech rights. Janus asserts he should have the choice to join or not join, pay or don't pay.

Since 1977, when the US Supreme Court ruled in Abood v. Detroit Board of Education, public employees subject to fair share agreements have been required to pay for union representation, even if the worker doesn't join the union.

It is estimated that *Janus v. AFSCME* could impact 5.5 million public sector employees. The ruling could alter the relationship between labor and management, nationwide union membership and dues collection. At present, 22 states authorize fair share for public sector employees.

The *Janus* decision may have an outsized impact on public education given that two of the three largest public sector unions in the nation relate to education= 7the National Education Association and the American Federation of Teachers. Employees in education had the highest unionization rate of all sectors, with 37.2 percent being represented by a union.

On Dec. 5, attorneys general in 20 states (Michigan, Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Kansas, Louisiana, Missouri, Nebraska, Nevada, Oklahoma, South Carolina, Tennessee, Texas, Utah, West Virginia, and Wisconsin) filed an amicus curiae brief in support of Janus. On Jan. 19, attorneys general in 20 states (New York, Alaska, Connecticut, Delaware, Hawaii, Iowa, Kentucky, Maine, Maryland, Massachusetts, Minnesota, New Jersey, New Mexico, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia and Washington) and the District of Columbia filed an amicus curiae brief in support of AFSCME.

In 2016, the U.S. Supreme Court considered a similar case Friedrichs v. California Teachers Union. With the death of Justice Antonin Scalia, the Court deadlocked with a 4-4 decision. Justice Gorsuch could be the swing vote to overturn *Abood*. A decision is expected by the end of June.

**NCSL Contacts:** Jon Jukuri (labor), Joan Wodiska (education)

**DYK?** Sunday marked the 25th anniversary of the first terror attack on the World Trade Center. The attack, which killed six people and injured more than a thousand others, involved Islamic terrorists who blew up a 1,200 pound bomb in an underground parking garage in an attempt to collapse the twin towers.

### **White House Meeting on School Safety**

In the wake of the Parkland, Fla., school shooting, last week President Donald Trump, Vice President Mike Pence, and Secretary of Education, Betsy DeVos met with more than 40 survivors, teachers and community members to discuss strategies to reduce school violence. In the meeting, the president expressed his support to improve federal background checks on gun purchases, equip school staff with firearms and explore other avenues to improve school safety. The president also issued a Presidential Memorandum directing the U.S. Department of Justice to "expeditiously as possible, to propose for notice and comment a rule banning all devices that turn legal weapons into machineguns." An official federal regulatory review of the "bump stock" rule began last fall, following the deadly shooting in Las Vegas, Nev. Over 100,000 comments were received and are being reviewed by the Justice Department.

**NCSL Contact:** Joan Wodiska

### **Supreme Court to Hear Online Sales Tax Case in April**

On Friday, the Supreme Court set the argument date for the *South Dakota v. Wayfair* remote sales tax case for Tuesday, April 17. If the court rules in the South Dakota's favor, every state could be granted the authority to require remote businesses to collect and remit sales taxes on transactions made by their state's residents. If South Dakota loses, the long-term viability of the sales tax as a state revenue stream for states may be in jeopardy. For more, visit NCSL's page that summarizes the case as well as the history of remote sales tax collection issue in the states.

**NCSL Contacts:** Max Behlke, Jake Lestock

### **DACA and Immigration Debate Stalls in Senate**



Before Congress recessed, and before the re-emergence of the gun control debate, a fierce debate on immigration consumed Capitol Hill. However, lawmakers on Capitol Hill failed to reach a consensus on the issues of immigration reform, border security and the "Dreamers" and there is still no clear path forward for a comprehensive deal. In the Senate, neither of the four immigration-related proposals cleared the 60 vote threshold needed to advance legislation and it is unlikely that any proposal from the House would be entertained by the Senate.

While the president had set March 5 as the deadline for Deferred Action for Childhood Arrivals (DACA) recipients, at which point he would terminate the program, federal district judges in California and New York have delayed that possibility, thus allowing more time for negotiators to work out a deal. On Monday morning, the U.S. Supreme Court denied the administration's request to rule on the legality of DACA in advance of a U.S. Circuit Court decision. In a one sentence denial of the administration's request, the Court stated, "[I]t is assumed that the Court of Appeals will proceed expeditiously to decide this case." The Court of Appeals is expected to rule on the injunction as early as April.

**NCSL Contact:** Susan Frederick, Lucia Bragg

### **White House Meeting on School Safety**

In the wake of the Parkland, Fla., school shooting, last week President Donald Trump, Vice President Mike Pence, and Secretary of Education, Betsy DeVos met with more than 40 survivors, teachers and community members to discuss strategies to reduce school violence. In the meeting, the president expressed his support to improve federal background checks on gun purchases, equip school staff with firearms and explore other avenues to improve school safety. The president also issued a Presidential Memorandum directing the U.S. Department of Justice to "expeditiously as possible, to propose for notice and comment a rule banning all devices that turn legal weapons into machineguns." An official federal regulatory review of the "bump stock" rule began last fall, following the deadly shooting in Las Vegas, Nev. Over 100,000 comments were received and are being reviewed by the Justice Department.

**NCSL Contact:** Joan Wodiska

## Supreme Court to Hear Online Sales Tax Case in April

On Friday, the Supreme Court set the argument date for the *South Dakota v. Wayfair* remote sales tax case for Tuesday, April 17. If the court rules in the South Dakota's favor, every state could be granted the authority to require remote businesses to collect and remit sales taxes on transactions made by their state's residents. If South Dakota loses, the long-term viability of the sales tax as a state revenue stream for states may be in jeopardy. For more, visit [NCSL's page](#) that summarizes the case as well as the history of remote sales tax collection issue in the states.

**NCSL Contacts:** [Max Behlke](#), [Jake Lestock](#)

## DACA and Immigration Debate Stalls in Senate

Before Congress recessed, and before the re-emergence of the gun control debate, a fierce debate on immigration consumed Capitol Hill. However, lawmakers on Capitol Hill failed to reach a consensus on the issues of immigration reform, border security and the "Dreamers" and there is still no clear path forward for a comprehensive deal. In the Senate, neither of the four immigration-related proposals cleared the 60 vote threshold needed to advance legislation and it is unlikely that any proposal from the House would be entertained by the Senate.

While the president had set March 5 as the deadline for Deferred Action for Childhood Arrivals (DACA) recipients, at which point he would terminate the program, federal district judges in California and New York have delayed that possibility, thus allowing more time for negotiators to work out a deal. On Monday morning, the U.S. Supreme Court denied the administration's request to rule on the legality of DACA in advance of a U.S. Circuit Court decision. In a one sentence denial of the administration's request, the Court stated, "[I]t is assumed that the Court of Appeals will proceed expeditiously to decide this case." The Court of Appeals is expected to rule on the injunction as early as April.

**NCSL Contact:** [Susan Frederick](#), [Lucia Bragg](#)

**DYK?** Since 1870, when Senator [Hiram Revels](#) of Mississippi and Representative [Joseph Rainey](#) of South Carolina became the first African Americans to serve in Congress, a total of 153 African Americans have served as U.S. Representatives, Delegates, or Senators.

## Congressional Appropriators Race to March 23 Deadline

The Bipartisan Budget Act of 2018 included the fifth continuing resolution (CR) for fiscal year (FY) 2018 and set new spending caps on how much the government can spend through FY 2019. Now, lawmakers have just four weeks to craft the 12 annual appropriations bills, or one combined omnibus bill, before March 23 when the government is at risk of another government shutdown. To make things even more complicated, the budget deal also had several informal agreements that were agreed to, but did not give specifics. This includes yearly funding of:

- \$3 billion to "fight against the opioid and mental health crises."
- \$10 billion for infrastructure.
- \$2 billion to "rebuild and improve" veteran's health care.
- \$2 billion for "college affordability."
- \$2.9 billion for the child care development block grant.
- \$1 billion for the National Institutes of Health.

Now, appropriators will have to translate how this funding will look while the party leaders act as chaperones to make sure everybody complies with the deal's stipulations. This also may be the last major legislative vehicle of the year, so you can bet lawmakers are rushing to get their priority bills added to the omnibus. The budget deal reached earlier this month also created a joint committee that is specifically tasked with "advancing reforms to the budget and appropriations process." Last week, House leaders made their selections on who would try to tackle this monstrous task. Speaker Paul Ryan chose Steve Womack (R-Ark.), Rob Woodall (R-Ga.), Jodey Arrington (R-Texas), and Pete Sessions (R-Texas), while Minority Leader Nancy Pelosi chose Nita Lowery (D-N.Y.), Lucille Roybal-Allard (D-Calif.), Derek Kilmer (D-Wash.) and John Yarmuth (D-Ky.). Senate leaders have yet to name their eight members to the reform committee.

NCSL Contacts: [Max Behlke](#), [Jake Lestock](#)

**DYK?** On Feb. 25, 1863, 155 years ago, President Abraham Lincoln signed the National Currency Act (later called the "National Bank Act"), which was the first attempt to establish a central bank following the failures of the First and Second Banks of the United States. The law aim to address the hodge-podge of local banks, local money, and conflicting regulatory standards that existed before the Civil War. The act allowed for the creation of national banks, planned for a national currency, and gave the federal government the ability to sell war bonds and securities.

## House Republicans Signal Willingness to Negotiate with Senate on Banking Reform Measures

House Financial Services Committee Chair, Jeb Hensarling (R-Texas), appears to be open to negotiations with the Senate on Dodd-Frank rollback measures. Hensarling, who has a steady-track record of wanting to wholly dismantle Dodd-Frank, now seems to be open to more moderate reforms in a strategic attempt to get legislation to the president's desk.

Hensarling's original banking reform legislation, the Financial CHOICE Act of 2017, would have removed significant portions of Dodd-Frank. His new strategy consists of multiple individual bills amounting to an a la carte offering of banking reform measures. House Republicans are hoping that this strategy is more palatable to moderate senators than the sweeping Financial CHOICE Act, which many deemed D.O.A. in the Senate last year after it passed the House.

In his attempt to work with the Senate, Hensarling seems willing to ease up on tough reform proposals designed to slash the Consumer Financial Protection Bureau—an agency that has proven to be a political lightning rod since its Dodd-Frank inception in 2010. Bipartisan policies that seem to be on the table in both chambers include relaxing regulatory oversight of credit rating agencies and increasing capital holdings thresholds for small and mid-sized banks that currently require heightened scrutiny under Dodd-Frank.

These latest attempts to move bi-partisan banking reform legislation come at the chagrin of some Democrats who feel that such measures would amount to taking a step back after progress made in the post-Great Recession era. If the House and Senate can successfully negotiate the legislation, the president has signaled ardent support for legislation that rolls-back Dodd-Frank in any form.

**NCSL Contact:** [Ethan Wilson](#)

### Also of Note...

- [Governors to Washington: Stop dithering on guns](#) – POLITICO

State leaders from both parties implored federal lawmakers this weekend to listen to their states' examples for responsible firearm legislation after the school shooting in Parkland, Fla., increasingly exasperated with the slow pace of debate and halting progress in the nation's capital.

- [Trump's personal pilot 'in the mix' to lead the Federal Aviation Administration](#) – Washington Post

President Trump's personal pilot is "in the mix" to lead the Federal Aviation Administration; a White House official confirmed Sunday night.

- [After testy call with Trump over border wall, Mexican president shelves plan to visit White House](#) – Washington Post

Tentative plans for Mexican President Enrique Peña Nieto to make his first visit to the White House to meet with President Trump were scuttled this week after a testy call between the two leaders ended in an impasse over Trump's promised border wall, according to U.S. and Mexican officials.

- [California Democratic Party doesn't endorse Feinstein re-election bid](#) – Fox News

The California Democratic Party will not endorse Sen. Dianne Feinstein's re-election bid this year, with delegates at the party's annual convention giving the majority of votes to her top primary challenger, progressive State Sen. Kevin de Leon.

- [Read the Democratic rebuttal to the Nunes memo, annotated](#) – Washington Post

[Read the Feb. 12, 2018 Capitol-to-Capitol.](#)

Like Capitol-to-Capitol? Have ideas or suggestions for how it can be improved? Please take two minutes to let us know in this [very short survey!](#)

We are always looking for interesting trivia about states, legislatures and American history. If you have some great facts, don't keep them to yourself. Let us know by clicking [here](#). We will likely include them in a future edition of Capitol to Capitol!

If you have comments or suggestions, please contact [Max Behlke](#).

[Read More](#)

*Capitol to Capitol is a publication of the National Conference of State Legislatures. NCSL is recognized as a formidable lobbying force in Washington, D.C. NCSL works to protect states from unfunded federal mandates and unwarranted federal pre-emption of state authority, and seeks to provide state legislatures the flexibility they need to innovate and be responsive to the unique needs of their residents. NCSL's advocacy is guided by the policy directives and resolutions adopted during NCSL's Legislative Summit.*



© National Conference of State Legislatures

Denver: 303-364-7700

Washington: 202-624-5400

[Unsubscribe](#) from these messages.

7700 East First Place, Denver, CO 80230

**From:** NCSL TODAY

**Sent:** Tuesday, February 27, 2018 11:17 AM

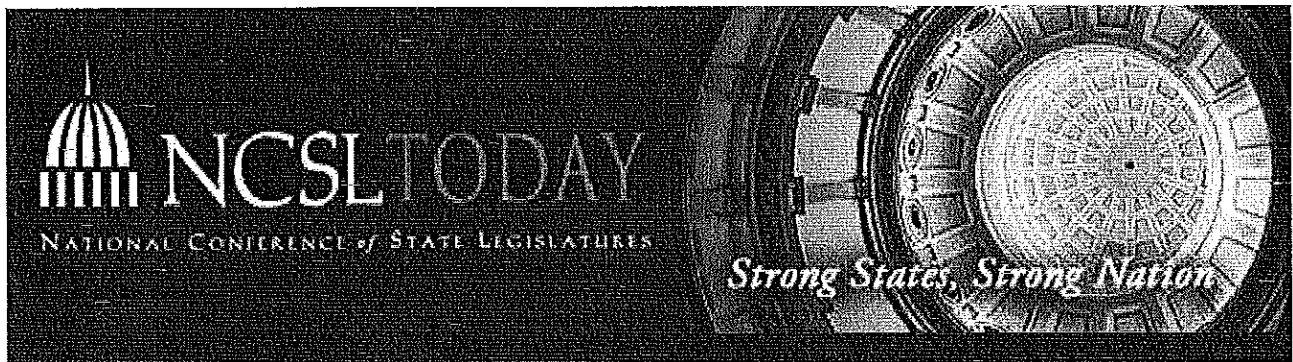
**To:** Rep93

**Subject:** What states are doing about gun laws in wake of Florida shooting

## Unsubscribe

It appears that you have subscribed to commercial messages from this sender. To stop receiving such messages from this sender, please [unsubscribe](#)

NCSL Today | Manage your subscription



## **TOP NEWS** Feb. 27, 2018

### **What states are doing about gun laws in wake of Florida shooting**

*The New York Times*

It is not just in Florida, where the mass shooting at a high school is prompting lawmakers to take up gun control legislation. The same thing is happening across the country, from Washington to Vermont.

[NCSL Blog post on carrying firearms in K-12 schools.](#)

### **Supreme Court to hear online tax case April 17**

*Bloomberg*

The U.S. Supreme Court will soon hear a long-simmering challenge about states' taxing authority over online retailers. And states should have the high court's answer by the start of summer. **NCSL brief cited.**

[NCSL resources on remote sales tax collection.](#)

### **What the Supreme Court's ruling means for DACA and 'Dreamers'**

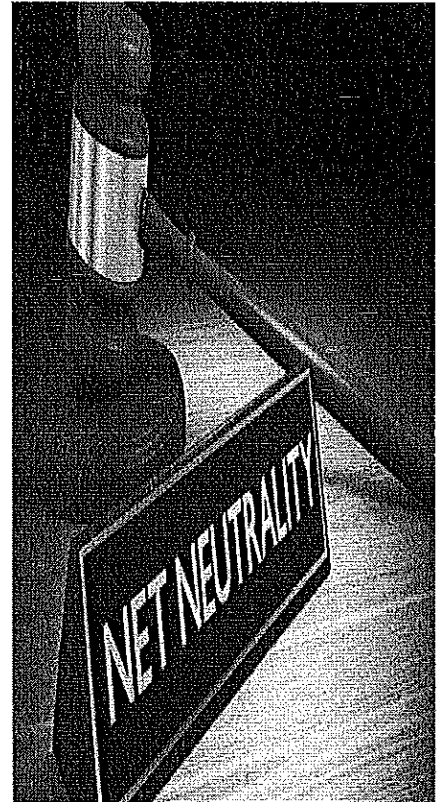
*USA TODAY*

By refusing to hear a California case, the high court ensured that DACA will survive at least through the fall, giving DACA enrollees a temporary reprieve from deportation and Congress more time to craft a permanent solution for them.

[NCSL resources on DACA.](#)

### **Iowa lawmakers move to allow health plans that skirt Obamacare rules**

*The Des Moines Register*



### **Net neutrality legislation in the states**

Net neutrality legislation has been introduced in over half of the states, largely in response to the Federal Communications Commission Restoring Internet Freedom Order.



### **2018 legislative races by state and chamber**



The Iowa Farm Bureau Federation could offer health insurance plans that don't comply with the federal Affordable Care Act under legislation advancing in the Iowa Legislature.

### **New Jersey lawmakers: Let inmates vote from prison**

*NJ.com*

State lawmakers on Monday announced legislation that would return voting rights to nearly 100,000 people locked up in prison or serving parole or probation.

[NCSL resources on felon voting rights.](#)

### **Feds provide Connecticut schools money for new students from Puerto Rico**

*CT Mirror*

Connecticut schools scrambled to accommodate the new arrivals — most of them non-English speakers — without additional resources from a cash-strapped state government.

### **Webinar March 9: Fiscal 50 - How does your state rank?**

### **Price of democracy: Splitting the bill for elections**



### **Gorsuch silent during SCOTUS union dues oral argument**

If there ever was a case where the vote of only one Justice is likely to matter it is *Janus v. American Federation of State, County and Municipal Employees*. All attention was focused on Justice Neal Gorsuch this morning as the Supreme Court held oral argument in this case. And he was...silent.



© National Conference of State Legislatures  
Denver: 303-364-7700  
Washington: 202-624-5400

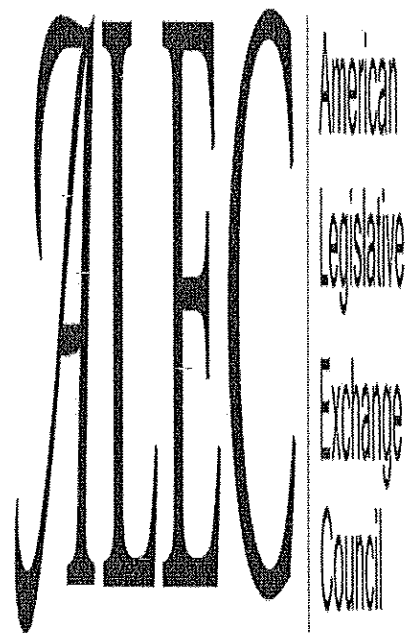
Click [here](#) to unsubscribe

7700 East First Place, Denver, CO 80230

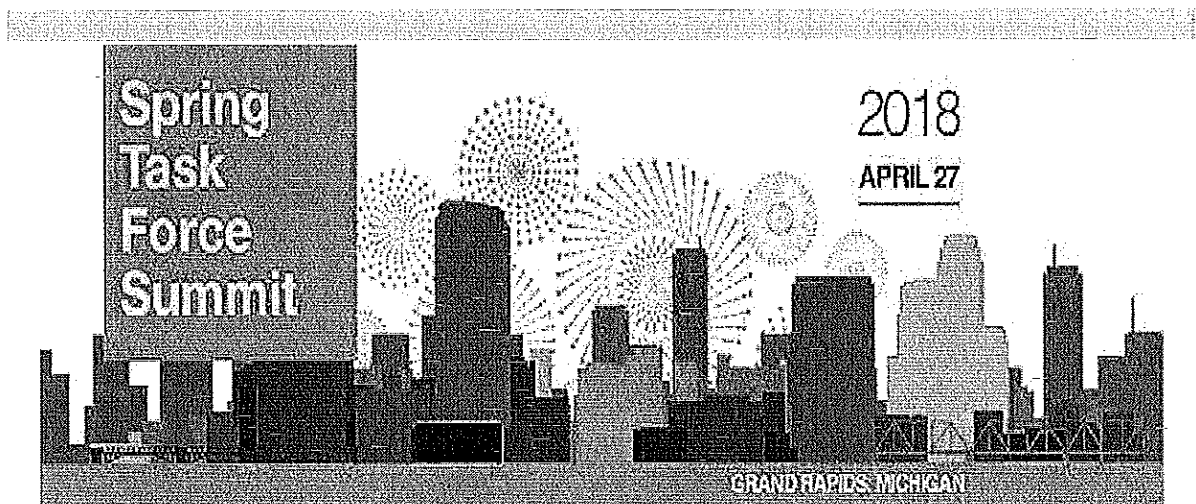
**From:** Courtney Cook  
**Sent:** Wednesday, February 28, 2018 8:13 PM  
**To:** Rep93  
**Subject:** ALEC - You do not want to miss this!

## Unsubscribe

It appears that you have subscribed to commercial messages from this sender. To stop receiving such messages from this sender, please [unsubscribe](#)



LIMITED GOVERNMENT • FREE MARKETS • FEDERALISM



## **Have you registered for the ALEC 2018 Spring Task Force Summit?**

**When:** April 27, 2018

**Where:** The Amway Grand Plaza  
Grand Rapids, MI

**Early Bird Deadline:** April 6, 2018



= A

## **Are you an ALEC Legislative Member?**

Take advantage of our reimbursement program to help offset the cost of your attendance to the Spring Task Force Summit. One of the benefits of being an ALEC member is the opportunity to be reimbursed for your registration, hotel and travel expenses to our conferences. Reimbursement varies by state and by meeting.

For more information on how to apply or to contribute to the State Reimbursement program please contact Wes Fisher at [wfisher@alec.org](mailto:wfisher@alec.org) or (571) 482-5015.

## Policy Spotlight: Criminal Justice Task Force



Did you catch the Facebook Live with ALEC Criminal Justice Task Force Director, Ronnie Lampard, highlighting the new state factor on overcriminalization and mens rea reform?

While the Criminal Justice Task Force agenda is still being finalized for the Spring Task Force Summit, a few of the topics to be discussed include new information about **criminal justice data** and **prisoner reentry**. Links to an initial agenda and any proposed model policies, resolutions, or statements of principles under consideration will be sent to Task Force members in advance of the meeting.

We are looking forward to seeing you in Grand Rapids, MI at the Spring Task Force Summit! Mark your calendar for **March 13** as it is the deadline to submit any proposed model policy, resolution or statement of principles be considered at the Spring Task Force Summit.

[Full Conference Agenda](#)



## Make your reservation today at the Amway Grand Plaza

Book now through **April 6, 2018\*** at the ALEC rate of **\$179**  
per night.

*\*based on availability*

[Book Now](#)

FOLLOW US



Questions? Contact us at [meetings@alec.org](mailto:meetings@alec.org)

[Unsubscribe](#)

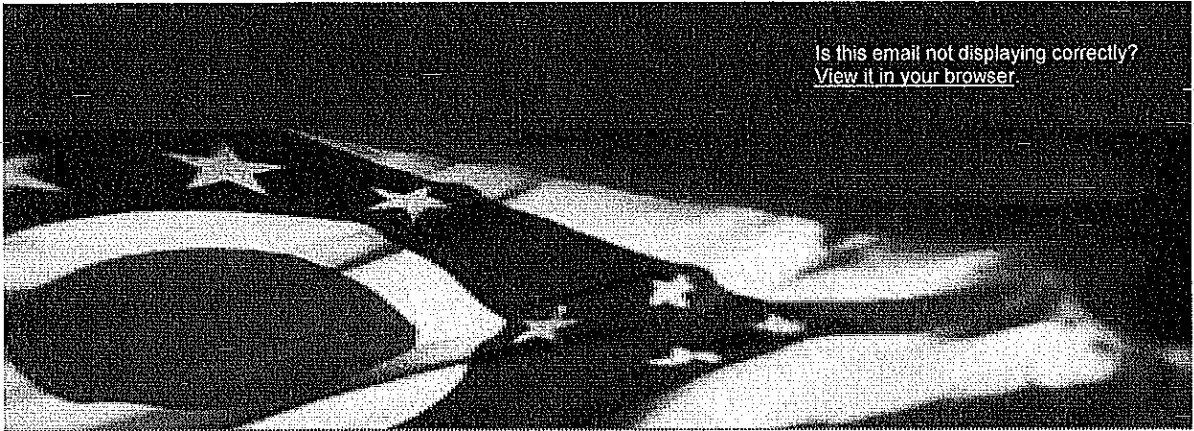
This message was sent to [rep93@ohiohouse.gov](mailto:rep93@ohiohouse.gov) from [CCook@alec.org](mailto:CCook@alec.org)

Courtney Cook  
ALEC  
2900 Crystal Drive, 6th Floor  
Arlington, VA 22202

**iContact**  
TRY IT FOR FREE



**From:** Columbus Lawyers Chapter of the Federalist Society  
**Sent:** Thursday, March 1, 2018 12:21 PM  
**To:** Rep93  
**Subject:** 2018 Ohio Lawyers Chapters Conference



**You are invited to attend:**

**2018 Ohio Lawyers Chapters Conference**

April 6, 2018  
The Westin Columbus  
310 High St.  
10:30 AM - 5 PM

## **Attend Event**

On April 6, Federalist Society chapters from around the state will be host the Second Annual Ohio Lawyers Chapters Conference. You won't want to miss it. Participants include:

**Hon. Mary DeGenaro**

Associate Justice, Ohio Supreme Court

**Hon. Gregory G. Katsas**

United States Court of Appeals, District of Columbia Circuit

**Hon. Sharon Kennedy**

Associate Justice, Ohio Supreme Court

**Eric Murphy**



Ohio State Solicitor

**Chad A. Readler**

Acting Assistant Attorney General, Civil Division  
U.S. Department of Justice

**Dave Yost**

Ohio State Auditor

and many more

You can view the full schedule below. This is our chance to build on the phenomenal momentum we started last year. So **REGISTER NOW!**

**Attend Event**

**Registration**

**10:30 AM - 11:00 AM**

## **Opening Remarks**

11:00 AM - 11:10 AM

- **Chad A. Readler**, Acting Assistant Attorney General, Civil Division, United States Department of Justice

## **Introduction to Originalism and Federalism: Where Are the Courts Heading?**

11:10 AM - 12:15 PM

Since the 1980s, the originalist approach to constitutional interpretation has gained greater and greater acceptance in legal circles, and the number of originalists within the Supreme Court and the federal judiciary has grown. At the same time, originalism still has fierce critics who argue that it is an inappropriate method for constitutional interpretation. Likewise, in the last decades of the 20th century the U.S. Supreme Court breathed new life into a federalist view of the Constitution and the relationship between the federal government and the states. As with originalism, the federalist movement has its own strong critics. The panelists will discuss these two legal concepts. What are originalism and federalism, really? Are they valid or flawed? What developments may we see from the federal courts with regard to these concepts in the future—particularly in light of Neil Gorsuch's joining the U.S. Supreme Court in 2017? And how do these concepts apply to the work of ordinary legal practitioners?

- **Professor Jonathan Adler**, Johan Verheij Memorial Professor of Law; Director, Center for Business Law and Regulation, Case Western Reserve University School of Law
- **Eric Murphy**, State Solicitor, Ohio
- **Peter M. Shane**, Jacob E. Davis and Jacob E. Davis II Chair in Law, Ohio State University Moritz College of Law

- **Hon. Gregory G. Katsas**, United States Court of Appeals, District of Columbia Circuit (**Moderator**)

## **Lunch**

12:15 PM - 1:30 PM

## **Criminal Justice Reform: A Necessary Correction or a Dangerous Experiment?**

1:45 PM - 3:00 PM

Demand for criminal justice reform appears to be growing across the political spectrum. Bipartisan coalitions have formed to address overcriminalization, prison reform, bail bond reform, sentencing guidelines reform, and more. Panelists will explore these efforts. Are reforms truly needed, or does the criminal justice system already work well? If reforms are needed, what reforms are best—and are there reforms in other states that may be worth exploring in Ohio? What efforts have the Ohio General Assembly and the Ohio Supreme Court made to address criminal justice reform? Are there arguments that criminal law practitioners should be making in the courtroom in light of these legal developments?

- **Dave Yost**, Ohio State Auditor
- **Robert Alt**, President, Buckeye Institute
- **Heather Childs**, Vice President, Compliance, Capital One
- **Hon. Sharon Kennedy**, Associate Justice, Ohio Supreme Court (**Moderator**)

## **Analyzing Ohio's Judicial System and the Ohio Supreme Court**

3:15 PM - 4:30 PM

What methods of interpretation should Ohio courts use in constitutional matters and in

cases involving disputes over statutory text? Does the Ohio Supreme Court have obligations or restrictions different from those facing federal courts? Are there systemic problems in the Ohio judicial system that the Ohio Supreme Court needs to address? Has the Ohio Supreme Court improperly ignored established precedent or constitutional or statutory requirements in ways that need to be corrected? Can judges really maintain independence if they are elected by voters and must run in partisan primaries? If so, how? What role do lawyers play in building citizen trust and support in the judiciary? Candidates for the two current vacancies on the Ohio Supreme Court will share their views on how the Ohio Supreme Court should address these and other questions. They will also explain how their views are informed and shaped by the Ohio Constitution, the Ohio canons of judicial ethics, and past studies of the administration of justice in Ohio's courts.

- **Hon. Mary DeGenaro**, Associate Justice, Ohio Supreme Court
- **Hon. Craig Baldwin**, Fifth District Court of Appeals
- **Hon. Michael Donnelly**, Cuyahoga County Common Pleas Court

### **Reception**

4:30 PM - 5:30 PM

*Additional information and speakers to come.*

= 9



---

= A

Copyright © 2018 Columbus Lawyers Chapter of the Federalist Society, All rights reserved.

You are receiving this email because we inform state legislators of our events, all of which are open to the public and address issues of public policy and law.

= 9 Our mailing address is:

= 9

Columbus Lawyers Chapter of the Federalist Society  
P.O. Box 1434  
Columbus, Oh 43216-1434

[Add us to your address book](#)

[unsubscribe from this list](#) | [update subscription preferences](#)

= A



**From:** CADCA  
**Sent:** Thursday, March 1, 2018 12:39 PM  
**To:** Rep93  
**Subject:** See Something, Say Something

## Unsubscribe

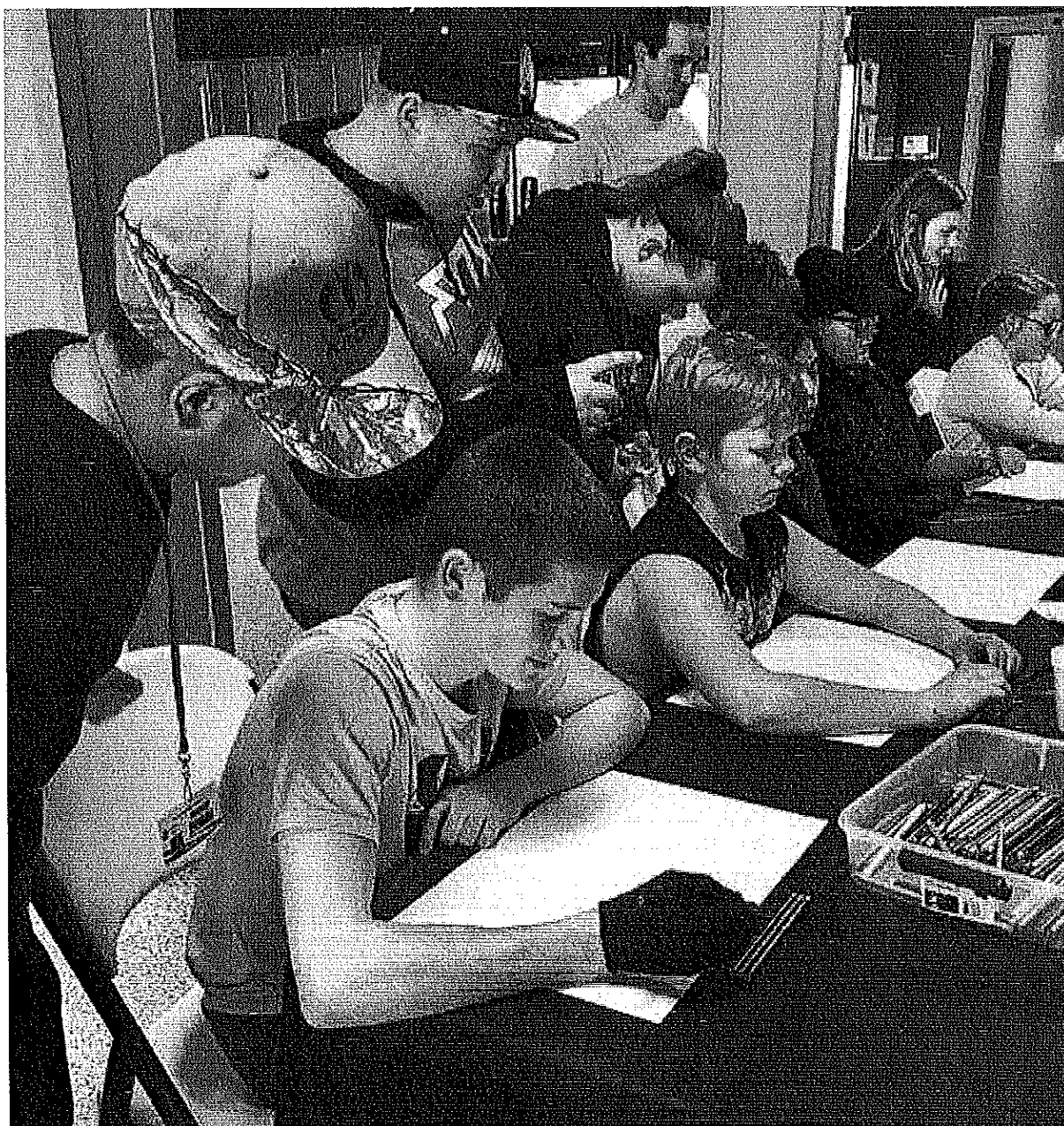
It appears that you have subscribed to commercial messages from this sender. To stop receiving such messages from this sender, please [unsubscribe](#)

View our [online version here](#) or [mobile device click here](#)



# COALITIONS *Online*

***CADCA's news roundup for prevention leaders***



**Coalitions in Action: Lamar Drug-Free Coalition Kicks Off Anonymous Tip Line**

The Lamar Drug-Free Coalition (LDFC), with the assistance of SAMHSA funding, has secured the first-ever Community Resource Officer (CRO) who works within the community and the local school district and manages a P3 (public, police, public sector) tip line.

"The P3 software is a free download from the Apple or Google Store and enables users to share tips regarding negative, harmful or illegal activity completely anonymously. User anonymity is protected at all times and may also be submitted at [P3tips.com](http://P3tips.com)," said Jerod Morey, Executive Director.

"Currently, all Lamar R-1 middle and high students, teachers and faculty have been exposed to the application and invited to download via two LDFC-sponsored speakers/assemblies. Tips are coming in and the coalition tirelessly works to encourage download of this useful tool to combat our issues one tip, one individual, at a time."

LDFC is currently implementing SAMHSA-funded Project S-4 (See Something, Say Something) and serves Lamar, Missouri, which is distinguished as the birthplace of President Harry S. Truman and the first place Wyatt Earp practiced law enforcement. The community is one of three small towns in Barton County, located in the southwest corner of the state. Serving as the county seat, Lamar has a population just over 4,000 people, and Morey noted, the area is home to four times more cows than people.

[Read More](#)

---

## Mid-Year Training Institute is Live!

The 17<sup>th</sup> Annual Mid-Year Training Institute webpage is now live! Head over to the [site](#) to register online, learn about hotel accommodations, find out about scholarship deadlines and calls for proposals, peruse discounted rates at Disney attractions and Orlando travel information, and take a look at the planned schedule of events!

Mid-Year Training Institute will be held in Orlando, Florida at the Gaylord Palms Hotel from July 15 – 19, 2018. We can't wait to see you there as we partner for prevention!

---



## **Public Policy in the News: Heroin Overdose Deaths Skyrocket in Utah, Study Says**

Heroin overdose deaths have soared in Utah, more than tripling since 2007 as the U.S. struggles with an opioid epidemic, according to a new report. A study by the Kaiser Family Foundation says 166 Utah residents fatally overdosed on heroin in 2016, compared with 127 a year before, the Deseret News reported. The number of heroin overdose deaths in the state never reached triple digits from 2007 to 2012, with the toll in the fifties in three of those years, according to the report that used data from the Centers for Disease Control and Prevention. It also said overall opioid overdose deaths in Utah have lingered at about 600 every year from 2013 to 2016. Read the full U.S. News & World Report [here](#).

---

## **Department of Justice Announces New Opioid Policy**

During a live stream on February 27, 2018, U.S. Attorney General Jeff Sessions announced a three-prong approach to the opioid epidemic from the Department of Justice:

1. Mary Daly, a prosecutor from eastern VA who focused the latest part of her career on prosecuting opioid cases will be appointed as the Opioid Coordinator for the Department of Justice.
2. AG Sessions announced a community-level task force – Prescription, Interdiction and Legislation Unit (PIL) that will target opioid manufactures and distributors. The unit will look at policy change, with a focus on prosecution.
3. DOJ will submit a statement of interest in lawsuits against pharma. "We will go to court to make sure American people get what they deserve."

The DOJ also mentioned that they created the Opioid Fraud and Abuse Detection Unit whose purpose is to identify potential health care fraud in opioid hotspots (the initiative started in November).

State attorneys from states hit hardest by opioid epidemic spoke, including Attorney General Reyes from Utah, who referenced the DEA 360 Strategy initiative and the fact that Utah is the first state (instead of city) to be a DEA 360 location.

---

## **Upcoming Webinar - The DFC FRAME**

In this **members-only** webinar, CADCA will review how to frame data and outcomes to best educate policy makers, elected officials and other potential partners. The webinar will focus on how to get more attention and funding for upstream prevention strategies to stop and delay substance use to stop the pipeline to addiction.

You will come away with the confidence to reach out to policy makers so they can be educated on the importance of prevention in your community.

**Presenters:** Sue Thau, CADCA Public Policy Consultant, Chris Naso, CADCA Public Policy Manager, Nikki Semenza, CADCA Public Policy Associate

**Date:** March 6, 2018

**Time:** 2 pm EST

Register for this members-only webinar in the new CADCA Community. You must be a CADCA member to register. Please make sure to include your Member ID on your registration. If you do not know your member ID, please contact Amy Pica at 703-706-0560 x 228 or [apica@cadca.org](mailto:apica@cadca.org).

---

## **CADCA Online Community is Now Live!**

Are you part of the conversation in the CADCA Community yet? If not, you are missing out. Here is what is being shared...

- Kristen Quinn from Michigan needs a contingency plan if her coalition doesn't receive DFC funding next year. Lots of sustainability resources have been shared. Do you have any to share?

- Michael Mumper from Georgia is looking for feedback on his RxSurvey. Have any members sent out similar surveys?
- Shelley Craver from New York needs advice on tracking volunteer non-federal matches. How do you track your volunteers?

[Login here](#) to be a part of the discussion and help your fellow coalition leaders. The CADCA Community is a forum designed specifically for members to provide unique networking opportunities, share resources and learn from one another. Not a member? [Join here](#).

---

## **Submit the Annual Survey of Coalitions by March 5 and Enter to Win a Free Laptop!**

CADCA's Annual Survey of Coalitions is a leading source of information on community-level work in substance misuse prevention. For over a decade, the survey has been providing insights into community coalition processes, strategies, and activities focused on reducing and preventing substance misuse and improving population health. The Annual Survey data informs coalition training and technical assistance needs, highlights successful coalition strategies to national partners, and allows us to do quick capacity assessments to choose coalitions for participation in select projects. It's also been essential in advocacy efforts as well as developing an evidence-base for community-level prevention research.

CADCA welcomes all coalitions fighting alcohol, tobacco, and other drug use in their communities to participate – you do not have to be a CADCA member to contribute! The preferred person to fill out the survey is a coalition member who is most familiar with the day-to-day coalition work. This includes the coalition operations manager, director, executive director, or CEO.

If your coalition has participated in the past, we thank you for your commitment and we would like to count on your continued engagement. As a new coalition, please take this opportunity share your work through the Annual Survey of Coalitions.

As in years past, we are offering special incentives for coalitions who complete the survey early. One lucky winner who submits the Annual Survey between now and March 5 will receive a free laptop!

To participate, email [survey@cadca.org](mailto:survey@cadca.org) to receive your personal survey link or call 1-800-542-2322, ext. 220.

---

## **CADCA is Hiring!**

Apply today to one of our job openings! Join our team today and help us make a difference in community coalitions across the world.

The Coalition Development Associate is responsible for supporting the Senior Coalition Development Manager in the management and enhancement of CADCA's National Technical Assistance Delivery System (TADS). The Coalition Development Associate will work in collaboration with the Senior Coalition Development Manager and Deputy Director to carry out the National Coalition Institute's mission of facilitating intensive, comprehensive technical assistance to coalition, state and federal leaders. In addition, the Coalition Development Associate will work in collaboration with the Training Operations Manager for fee-for-service training inquiries and contracts. This position focuses on building new coalitions and strengthening the capacity of existing ones with an emphasis on the Drug-Free Community Support Program (DFC) grant recipients, economically disadvantaged communities and coalitions serving special populations throughout the United States and its territories.

---

## **Putting Research into Action**

CADCA presents the latest installment of the webinar series, "Conversations: Putting Research Into Action," on Wednesday, March 14, 2018 from 1 - 2 pm EST. This month's conversation will be with Steven C. Fiala, MPH, of Program Design and Evaluation Services, Oregon Public Health Division, Oregon Health Authority to discuss his article entitled, "Exposure to Marijuana Marketing After Legalization of Retail Sales: Oregonians' Experiences, 2015-2016." Mr. Fiala's article presents findings regarding retail marijuana advertising in Oregon in the year following legalization and the regulation of marijuana advertising. Mr. Fiala's presentation will include a discussion of how his findings can be applied in coalition work. To register for the webinar, please click [here](#) and fill out the short form.

---

**Community Anti-Drug Coalitions of America**  
625 Slaters Lane Suite 300 Alexandria, VA  
22314  
800-54-CADCA | CADCA.org



[Unsubscribe from messages like this sent from CADCA.](#)

[Unsubscribe from all message from CADCA.](#)

625 Slaters Lane, Suite 300, Alexandria, VA 22314

**From:** Heartland Government Relations  
**Sent:** Friday, March 2, 2018 3:35 PM  
**To:** Rep93  
**Subject:** The Leaflet: Welfare Reform Works

## Unsubscribe

It appears that you have subscribed to commercial messages from this sender. To stop receiving such messages from this sender, please [unsubscribe](#)



## Welfare Reform Works

Wisconsin continues to be a national innovator when it comes to welfare reform. Wisconsin Gov. Scott Walker (R) will soon add his signature to a host of nine bills that build on previous reforms aimed at helping to move more Wisconsinites from government dependency to self-sufficiency.

The "Wisconsin Works for Everyone" reform initiative, which has been spearheaded by Walker since he first announced the plan more than a year ago, mimics similar reforms passed by former Wisconsin Gov. Tommy Thompson (R). Throughout Thompson's tenure (1987–2001), 800,000 net jobs were created in Wisconsin, and there was a 93 percent reduction in the state's welfare rolls. Thompson's reforms were so successful that they were later used by President Bill Clinton and congressional Republicans in their revamp of welfare at the national level.

One of the changes the bills would institute is an adjustment to the state's Supplemental Nutrition Assistance Program (SNAP), also known as food stamps. If approved by the U.S. Department of Agriculture (USDA), the state would require able-bodied food stamp recipients to work or be enrolled in a job training program for at least 30 hours per week, an increase of 10 hours per week compared to current law.

In a USDA press release, Agriculture Secretary Sonny Perdue voiced his support for SNAP innovation to promote work and self-sufficiency. "Long-term dependency has never been part of the American dream. USDA's goal is to move individuals and families from SNAP back to the workforce as the best long-term solution to poverty. Everyone who receives SNAP deserves an opportunity to become self-sufficient and build a productive, independent life."

Another key part of the Wisconsin Works for Everyone plan is Medicaid reform. The state submitted a Section 1115 demonstration waiver in June 2017 to the Centers for Medicare and Medicaid. If approved by the federal government, the waiver would lead to the creation of monthly premiums and copayments for emergency department visits, subject recipients to drug screenings and offer treatment to those who test positive, and limit benefits to 48 months for those not meeting the state's work requirements.

The Heartland Institute endorses many of the Badger State's reform measures and has been encouraging Wisconsin to make additional changes for years. In January, John Nothdurft, director of government relations, testified in support of the reform bills in a Wisconsin joint committee hearing. Heartland President Tim Huelskamp cited Heartland's assistance in moving these bills forward in a recent press release: "Congratulations to Gov. Walker and the Republican legislature for passing these long-overdue welfare reforms. The Heartland Institute was pleased to assist in their development and plans to promote the adoption of these in the other 49 states."

Wisconsin has long been a leader in welfare reform. In 2015, Wisconsin was given an "A" grade in Heartland's *Welfare Reform Report Card*, and the additional changes offered as

part of the Wisconsin Works for Everyone plan would help it remain one of the most innovative and reform-minded states in the country.

In the *Ten State Solutions to Emerging Issues* booklet, experts at The Heartland Institute provide lawmakers interested in fixing their welfare programs with several key policy reforms that have been proven to improve state budgets and help people break the government-created cycle of dependency and poverty. Solutions include work requirements, consolidating redundant agencies, eliminating fraud and abuse, and applying for 1115 demonstration waivers to give states flexibility in administering Medicaid.

## What We're Working On

= A

### Education

**Study Shows Nearly Half of Florida's ESA Parents Are Using Funds to Customize Their Child's Education**

In this *Research & Commentary*, Policy Analyst Tim Benson writes about a new study from EdChoice, titled *Personalizing Education: How Florida Families Use Education Savings Accounts*. The study reveals 42 percent of families participating in Florida's Gardiner Scholarship Program used their ESA funds to customize their child's education during the 2015–16 school year. These findings are important because they show parents are using the Gardiner ESA as intended, utilizing a variety of options to come up with an educational program that meets the unique educational needs of their children.

### Energy & Environment

**EPA Finds Greenhouse-Gas Emissions Continue to Decline While Oil, Natural Gas Production Increase**

In this *Research & Commentary*, Policy Analyst Tim Benson writes about EPA's draft 2018 Greenhouse Gas Inventory (GHGI), which revealed total gross greenhouse-gas emissions (GHG) in the United States decreased by 2 percent between 2015 and 2016. In 2007, GHG emissions were 15.6 percent above 1990 levels, which is the GHGI baseline. Now, GHG emissions are just 2.6 percent above 1990 levels, 11.6 percent below 2005 levels. The report also goes on to note combined



methane emissions from oil and natural gas systems have declined by 1.5 percent from 2015 to 2016, and by a total of 14.7 percent since 1990. From natural gas systems alone, the decrease in methane emissions is 16.3 percent since 1990.

### Health Care

Trump Administration Throws Lifeline to Obamacare Victims  
State Government Relations Manager Charlie Katebi examines a new proposal by the Trump administration to expand access to affordable health plans known as short-term insurance in a recent column in *The Hill*. Katebi wrote, "The Department of Health and Human Services (HHS) proposed new rules to offer consumers an expanded array of affordable health coverage options. The newly proposed rules would extend the allowable duration of health plans known as short-term insurance from three months to 12 months. = 2 The vast majority of the customers lining up to buy these new policies will likely be among the tens of millions of individuals who cannot afford Obamacare's sky-high premiums and are currently uninsured. 30

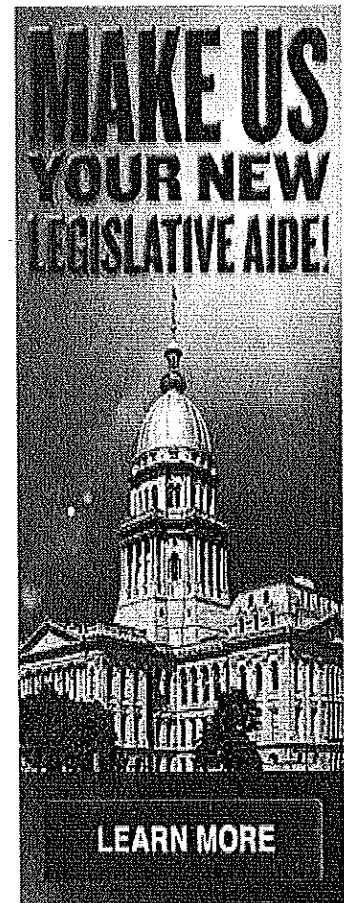
### Budget & Tax

Washington State Seeks to Reform Civil Asset Forfeiture Laws  
In this *Research & Commentary*, Senior Policy Analyst Matthew Glans discusses a positive development in Washington State regarding civil asset forfeiture. Currently, Washington has a "D-" grade on its civil asset forfeiture laws, as analyzed by the Institute for Justice. Three bills being considered in the state's legislature would raise the standard of proof required for seizure, deposit proceeds from seized property into a public education fund, and place the burden of proof on the seizing agency. Glans concluded, "Assets should be seized only for criminal reasons, and law enforcement should not have incentives to seize any more property than is necessary and justified. Although incorporating these reforms into one bill would be preferable, each of these bills would take a positive step toward limiting the government's incentive to seize."

### From Our Free-Market Friends

City Pension Data Update

Truth in Accounting, a government finance watchdog group, has updated its municipal pension database that contains important information about the largest public pension systems in the country. According to Truth in Accounting, the worst



POLICY NEWSPAPER

funded pension plans in the three largest cities are the New York City Fire Department Pension Fund (57 percent funded), Los Angeles City Employees' Retirement System (68 percent funded), and Chicago Municipal Employees' Annuity and Benefit Fund (19 percent funded).

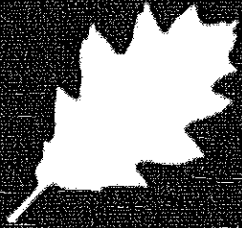


In the February issue of *School Reform News*, Ashley Bateman reports on Connecticut's underfunded government pension system, which is the worst in the nation. The "Unaccountable and Unaffordable" study, released by ALEC in December 2017, finds the state has a 19.7 percent funding ratio and sets retiree benefits through collective bargaining.

Environment & Climate  
News

Budget & Tax News

Health Care News

|                                                                                   |                                                                                                                                                                                                                              |                                                                                                                            |
|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
|  | <b>The Heartland Institute</b><br>The Heartland Institute, founded in 1984, is a national non-profit organization dedicated to discovering, developing, and promoting free-market solutions to economic and social problems. | <b>Our Websites</b><br>The Heartland Institute<br>PolicyBot<br>The Freedom Pub<br>The Parent Trigger<br>Climate Conference |
|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|

Manage Your Subscription = 9

This message was sent to [rep93@ohiohouse.gov](mailto:rep93@ohiohouse.gov) from [awilkerson@heartland.org](mailto:awilkerson@heartland.org)

Heartland Government Relations  
The Heartland Institute  
3939 North Wilke Road  
Arlington Heights, IL 60004

---

**"iContact"**  
TRY IT FOR FREE >

**From:** Max.Behlke@ncsl.org

**Sent:** Monday, March 5, 2018 4:33 PM

**To:** Rep93

**Subject:** Cap to Cap: Trump: New NAFTA Would Prevent Proposed Tariffs



## CapitoltoCapitol

NATIONAL CONFERENCE of STATE LEGISLATURES



Mar. 5, 2018

*In This Issue:*

Trump: New NAFTA Would Prevent Proposed Tarrifs

Seventh round of the North American Free Trade Agreement (NAFTA) Renegotiations Wrap up Today This Week on Capitol Hill

Roadblock to 2018 Infrastructure Bill?

Commerce Committees Announce Broad Telecom Package

Federal Reserve Chair Jerome Powell Testifies before Congress

Senate to Debate Bill That Exempts Small Banks from Dodd-Frank

Carrying Firearms in K-12 Schools

Court Hears Oral Argument in Janus v. AFSCME Case

NCSL Files Amicus Brief in South Dakota v. Wayfair Sales Tax Case

Opioids Crisis Garner Further Federal Attention

Also of Note...

## **Trump: New NAFTA Would Prevent Proposed Tariffs**

Last Thursday, President Donald Trump announced that the United States would impose 25 percent tariffs on imported steel and 10 percent tariffs on imported aluminum. The move, which surprised many in Washington and even many of the president's advisers, rattled the stock market as well as many manufacturing companies that rely on the metals. The announcement also surprised officials in the European Union, who have threatened to retaliate by imposing penalties on \$3.5 billion of U.S. exports, especially on products manufactured in states of Republicans leaders, including Harley-Davidson motorcycles (Wisconsin, Speaker Paul Ryan) and bourbon (Kentucky, Senate Majority Leader Mitch McConnell).

The U.S. has experimented with steel tariffs relatively recently. In 2002, President George W. Bush imposed sweeping tariffs on steel imports but dropped them in 2003. The tariffs raised the cost of steel by 3 percent and a 2003 study by the research firm Trade Partnership Worldwide estimated that the higher steel prices, caused chiefly by the tariffs, cost 200,000 steel-consuming jobs in 2003, largely in manufacturing.

This morning, the president tied the tariffs to the ongoing negotiations to rewrite the North American Free Trade Agreement (NAFTA) by tweeting that the "Tariffs on Steel and Aluminum will only come off if new & fair NAFTA agreement is signed." The comments are not particularly surprising as Canada and Mexico were the first and fourth top suppliers of U.S. imported steel in 2017. Given that it is an election year both in the U.S. and in Mexico, many NAFTA watchers believe that talks to renegotiate the three-country agreement may last the rest of the year. However, retaliation against the U.S. tariffs could come much more quickly.

### **Seventh round of the North American Free Trade Agreement (NAFTA) Renegotiations Wrap up Today**

Representatives from Mexico, Canada and the U.S. convened over the past week for the seventh round of NAFTA negotiations in Mexico City.

Later today, the seventh-round negotiations are scheduled to conclude with a meeting among the U.S. Trade Representative Robert Lighthizer, Canadian Foreign Minister Chrystia Freeland and Mexican Economy Minister Ildefonso Guajardo. The three top trade officials from the NAFTA countries are expected to hold a press conference after the formal round of negotiations are completed.

Last week, Trump announced plans to impose tariffs on steel (25 percent) and aluminum (10 percent) to protect national security interests. However, Trump has not specified whether he will grant exemptions to the tariffs for key allies and vital trading partners. An eighth round of NAFTA negotiations in Washington, D.C., is expected to be held in early April.

**NCSL Contacts:** Jon Jukuri

### **This Week on Capitol Hill**

The Senate is turning to banking reform as efforts to pass gun control legislation appear to have stalled. The financial legislation, which will provide relief to small financial institutions and community banks, would be the first rewrite of the Dodd-Frank reform bill, legislation enacted nearly eight years ago in wake of the financial crisis. The legislation is expected to consume most of the chamber's floor time this week.

During its brief sessions on Monday and Tuesday last week, the House passed a bill to make it easier for victims and prosecutors to sue websites linked to sex trafficking. This week, the House is expected to vote on two energy and environment bills: the Blocking Regulatory Interference from Closing Kilns (BRICK) Act and the Satisfying Energy Needs and Saving the Environment (SENSE) Act. The BRICK Act would change certain Environmental Protection Agency regulations to benefit the brick and structural clay ceramics manufacturing industries. The SENSE Act would exempt certain power plants, which burn coal refuse, from parts of a 2012 air pollution rule. The House is expected to vote on the bills on Wednesday and Thursday.

The House is also expected to vote on the Comprehensive Regulatory Review Act on Tuesday, which is aimed at eliminating outdated or unnecessary regulations. The bill would require the audit of financial regulations to be completed every seven years, instead of every 10, and would expand the number of federal financial agencies the review requirements apply to.

**DYK?** Until the adoption of the 20th Amendment to the U.S. Constitution in 1933, U.S. presidents were inaugurated on March 4. However, the first president, George Washington, was not inaugurated until April 30. Although Congress had scheduled the first inauguration for March 4, 1789, they were unable to count the electoral ballots as early as anticipated.

### **Roadblock to 2018 Infrastructure Bill?**

Last week, Assistant Majority Leader, Senator John Cornyn (R-Texas) conveyed doubt that a large infrastructure package would pass Congress by the end of the year because of the large number of other priorities it must complete. While last month's budget deal calls for a \$10 billion boost to infrastructure funding for both FY 2018 and FY 2019, it remains unclear how such funding will be allocated with broadband, surface transportation, and clean and safe drinking water among a bevy of potential options.

While the funding in the budget deal is needed given the state of the nation's infrastructure, it is far from Trump's proposed \$1.5 trillion infrastructure plan. Senator Tom Carper (D-Del.), the ranking member of the Senate Environment and Public Works Committee, responded to Cornyn's remarks by saying, "I hope he's wrong. This administration, the president has talked so much about infrastructure, transportation, broadband deployment, water, sewer. If we can't figure out a path forward on this, shame on the president, shame on the administration, shame on the Congress."

Although a large infrastructure package may face a difficult road to passage, Congress still anticipates passing two other main infrastructure bills—a full four-year reauthorization of the Federal Aviation Administration (airports and drones) and a two-year reauthorization of the Water Resources Development Act (ports, harbors, inland waterways, and clean and safe drinking water).

**NCSL Contacts:** [Ben Husch](#), [Kristen Hildreth](#)

## **Commerce Committees Announce Broad Telecom Package**

Lawmakers on both the House and Senate Commerce committees have reached a bipartisan deal on a broad package of telecom provisions that will likely be bundled in this month's omnibus bill if a standalone package is not passed beforehand. The deal includes elements of the House's Federal Communications Commission (FCC) reauthorization package, which would provide the agency with more than \$330 million annually in FY 2019 and FY 2020, and includes key provisions from the Senate's Mobile Now spectrum bill. The Mobile Now Act provisions include allowing the FCC to hold upfront spectrum auction bids later this year with the U.S. Treasury.

In a joint statement, House and Senate committee leaders, Representative Greg Walden (R-Ore.), Representative Frank Pallone (D-N.J.), Senator John Thune (R-S.D.) and Senator Bill Nelson (D-Fla.) said the "bipartisan, bicameral product puts consumers first and solidifies the nation's critical telecommunications infrastructure, giving the U.S. a global edge" in the race to develop fifth-generation, or 5G, wireless networks "and in improving internet services across the country."

The legislation, [Ray Baum's Act \(H.R. 4986\)](#), will first be voted on in the House tomorrow, March 6, which is said to be a demonstration vote to congressional leadership that including the legislation in the omnibus bill will not threaten the package's chances of passage.

**NCSL Contacts:** [Danielle Dean](#)

## **Federal Reserve Chair Jerome Powell Testifies before Congress**

Last week, Fed Chair Jerome Powell appeared before the House and Senate [testifying](#) on the Federal Reserve's semiannual [Monetary Policy Report](#). In his first appearance before Congress as one of the nation's top



financial regulators, Powell commented on current economic conditions, addressing hot topics such as inflation, interest rates and the Fed's years-long accommodative monetary policies. Congressional members also peppered Powell with questions on myriad issues ranging from the new tax law and pending banking reform legislation to lending practices and consumer protection. [View the full Senate testimony.](#)

During his testimony, Powell recognized the Fed's congressional mandate of promoting both maximum employment and stable prices—economic dynamics that tend to operate inversely, especially during times of relatively swift economic growth. Powell reported a generally favorable U.S. economic outlook, citing current job gains, economic growth and unemployment (4.1 percent) numbers. He went on to note that the Fed expects the inflation rate to tick upward, moving closer to the agency's target rate of 2 percent.

Questions remain as to the full cumulative effects of the recent tax legislation combined with historically low unemployment, high labor demand and increasing wages. With more money in the economy and wages on the rise, some believe that inflation will rise at a higher pace than anticipated by the Fed. For now, it appears that the Fed will proceed with at least three incremental interest rate hikes this year, with a fourth possible.

**NCSL Contact:** [Ethan Wilson](#)

**DYK?**

Before the 20th Amendment, presidential inaugurations were typically held on March 4. However, when the March 4 fell on a Sunday, as it did in 1821, 1849, 1877, and 1917, the ceremonies were held on March 5.

In 1877, March 4 fell on a Sunday, so on March 3, 1877, Rutherford B. Hayes became the first president to take the oath of office in the White House during a private ceremony. Hayes' also took the oath in a public ceremony on March 5.

On March 4, 1917, President Woodrow Wilson became the first person to break precedent and take the oath of office on Sunday, which was also the first time that the oath was taken privately in the President's Room at the Capitol.

Also, Inauguration day has only fallen on a Sunday three times since the passage of the 20th Amendment. In all three instances, the presidents were sworn in during a private ceremony on Sunday, followed by a public ceremony on Monday.

## **Senate to Debate Bill that Exempts Small Banks from Dodd-Frank**

Last Thursday, Senate Majority Leader Mitch McConnell (R-Ky.) filed a cloture motion on S. 2155, the [Economic Growth, Regulatory Relief, and Consumer Protection Act](#), which is legislation intended to provide smaller banks relief from rules and regulations established under Dodd-Frank. Debate on the measure is expected to last most of the week in the chamber.

In general, the legislation raises the threshold at which a bank is deemed big enough to warrant tighter oversight from \$50 billion to \$250 billion. An initial procedural vote on the bill is expected on Tuesday, where the legislation will need 60 votes to pass, which it is expected to attain given that it is supported by moderate Democrats. More progressive members, however, have vocally opposed the bill. "The Senate—with the support of some Democrats—is set to start debate on a bill to roll back regulations on the same big banks we bailed out a few years ago. If we lose the final vote next week, we'll be paving the way for the next big crash," Senator Elizabeth Warren (D-Mass.) said in a tweet Friday.

Warren, considered a potential 2020 contender, rose through the Democratic Party's ranks by focusing on financial oversight.

**NCSL Contact:** [Ethan Wilson](#)

## **Carrying Firearms in K-12 Schools**

In the wake of the tragic events in Parkland, Fla., federal and state laws governing firearms have been in the forefront of public attention. Last week, the president held a bipartisan meeting to discuss school violence and access to firearms. Trump has indicated support for school staff having access to firearms. This week, the president is expected to meet with "members of the video game industry" to discuss the relationships between violence and video gaming. [Read NCSL's Blog post on Carrying Firearms in K-12 Schools: A Policy Snapshot.](#) [NCSL Summary Carrying Firearms K-12 Schools](#)

**NCSL Contact:** [Joan Wodiska](#)

## **Court Hears Oral Argument in *Janus v. AFSCME* Case**

Last week, the U.S. Supreme Court heard oral arguments in *Janus v. American Federation of State, County, and Municipal Employees, Council 31*. The case considers the question of whether state laws that require the

collection of "fair-share" dues in unions violate the First Amendment. While Justice Neil Gorsuch is expected to be the swing vote, last week he remained silent during the oral arguments.

**NCSL Contacts:** Jon Jukuri (Labor); Joan Wodiska (Education)

**DYK?** Thirty-six hours after his inauguration on March 4, 1933, President Franklin D. Roosevelt declared a "bank holiday," which closed all U.S. banks and froze all financial transactions for a week to stem bank runs during the financial crisis of the Great Depression. Following the bank holiday, on March 9, Congress introduced, passed, and the president signed the Emergency Banking Relief Act, which allowed banks to reopen as soon as examiners had found them to be financially secure. Within three days, 5,000 banks had been given permission to be re-opened.

### **NCSL Files Amicus Brief in South Dakota v. Wayfair Sales Tax Case**

On March 2, NCSL, along with the national organizations that represent state and local officials, filed an amicus brief in the U.S. Supreme Court for one of the most important state tax cases in decades: *South Dakota v. Wayfair*.

In this case, South Dakota is asking the Supreme Court to rule that states and local governments may require retailers with no in-state physical presence to collect sales tax. Ruling this way will require the Supreme Court to overturn long-standing precedent.

The amicus brief points out that states and local governments lost an estimated \$26 billion in sales tax revenue in 2015 because they were unable to collect owed taxes. The brief encourages the Court to overturn *Quill*. If the Court decides to replace the physical presence requirement, the brief asks the Court to adopt an economic nexus requirement—like the one the South Dakota legislature adopted.

**NCSL Contacts:** Max Behlke, Jake Lestock

### **Opioids Crisis Garners Further Federal Attention**

This week, the U.S. Senate Health, Education, Labor and Pensions (HELP) Committee will hold a full hearing on the Opioid Crisis: Leadership and Innovation the States. Guest witnesses are Governors Larry Hogan (R) of Maryland and Kate Brown (D) of Oregon. Last week, the president hosted an opioid summit to discuss the administration's efforts to confront the opioid crisis.

**NCSL Contacts:** Haley Nicholson (Health); Susan Frederick (Criminal Justice); Joan Wodiska (Education)

## Also of Note...

- **This Democrat Is Running for Congress—but Not Against Trump** – [The Atlantic](#)
  - **Ryan splits with Trump on trade as GOP lawmakers move to block planned tariffs** - [Washington Post](#)
- **Inside the \$9.1 Million Effort to Bolster Republican Running in Trump Country** – [The Wall Street Journal](#)
- **Mueller subpoenas witness for documents tied to Trump, campaign associates: report** – [The Hill](#)

[Read the Feb. 26, 2018 Capitol-to-Capitol.](#)

Like Capitol-to-Capitol? Have ideas or suggestions for how it can be improved? Please take two minutes to let us know in this [very short survey](#)!

We are always looking for interesting trivia about states, legislatures and American history. If you have some great facts, don't keep them to yourself. Let us know by clicking [here](#). We will likely include them in a future edition of Capitol-to-Capitol!

If you have comments or suggestions, please contact [Max Behlke](#).

[Read More](#)

*Capitol to Capitol is a publication of the National Conference of State Legislatures. NCSL is recognized as a formidable lobbying force in Washington, D.C. NCSL works to protect states from unfunded federal mandates and unwarranted federal pre-emption of state authority, and seeks to provide state legislatures the flexibility they need to innovate and be responsive to the unique needs of their residents. NCSL's advocacy is guided by the [policy directives and resolutions](#) adopted during NCSL's Legislative Summit.*



© National Conference of State Legislatures  
Denver: 303-364-7700  
Washington: 202-624-5400

[Unsubscribe from these messages.](#)

7700 East First Place, Denver, CO 80230

**From:** Public Policy Law360  
**Sent:** Wednesday, March 7, 2018 5:27 AM  
**To:** Rep93  
**Subject:** Senate Broadly Approves Trump Pick For Louisiana Judge

## Unsubscribe

It appears that you have subscribed to commercial messages from this sender. To stop receiving such messages from this sender, please unsubscribe



Wednesday, March 7, 2018



= 9 TOP NEWS

= 9

### Senate Broadly Approves Trump Pick For Louisiana Judge

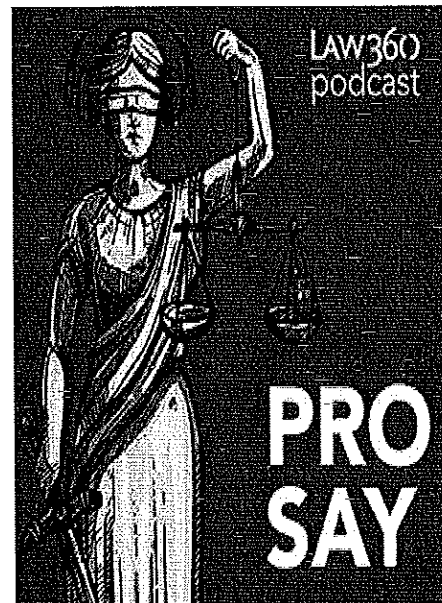
The Senate voted to confirm President Donald Trump's pick for a Louisiana federal judgeship Tuesday, the latest in a series of nominees to garner bipartisan support. Read more » = 9

### Cohn Leaves Top White House Economic Post As Tariffs Loom

President Donald Trump's chief economic adviser, Gary Cohn, stepped down from his role Tuesday after reportedly opposing the president's proposed tariffs on steel and aluminum imports. Read more = 2

= 9

### DOJ Sues California Over Sanctuary Immigration Policies



Listen to our new podcast here

= 9

LAW FIRMS

The federal government asked a California federal judge on Tuesday to invalidate three Golden State laws that the U.S. Department of Justice says are interfering with its ability to enforce federal immigration laws, prompting defiant statements from state officials. [Read more »](#)

= 9

Feature

### **With No Trump Pick For SDNY Atty, Judges May Step In**

Geoffrey Berman's interim appointment as U.S. attorney for the Southern District of New York is set to expire in a matter of weeks, shouldering Manhattan federal judges with the responsibility of appointing Berman until a formal nomination is made by the White House and confirmed by the Senate, finding someone else or even opting out entirely. [Read more »](#)

Analysis

### **Why Doesn't Paul Manafort Cut A Deal?**

Michael Flynn, Rick Gates and others who face prosecution by Special Counsel Robert Mueller have cut plea deals, so why hasn't Paul Manafort? White collar defense attorneys have a few ideas. [Read more »](#)

Analysis

### **= 9 W.Va. Teachers Strike May Be Harbinger Of More Labor Strife = 9**

With public-sector collective bargaining rights under assault in numerous statehouses and the U.S. Supreme Court mulling whether requiring public-sector workers to pay union fees is unconstitutional, a nine-day teachers strike in West Virginia that ended Tuesday may foreshadow an uptick in aggressive work stoppage tactics elsewhere, legal experts say. [Read more »](#)

## **BANKING & SECURITIES**

= 9

Arnold & Porter  
Carter Scholer  
ComputerLaw Group-LLP

= 9

Covington & Burling  
Cravath Swaine

DLA Piper

Dentons  
Drummond Woodsum  
Earthjustice  
Foley & Lardner

= 9

Greenberg Gross  
Greenberg Traurig  
Greensfelder Hemker

= 9

Jackson Lewis  
Kilpatrick Townsend  
Kirkland & Ellis  
Lankler Siffert  
Latham & Watkins  
Law Offices of Howard Lee Schiff  
Manatt Phelps  
McCarter & English  
Morgan Lewis  
O'Connell & Aronowitz  
O'Melveny & Myers

O'Neill & Borges

= 9

Pachulski Stang  
Paul Weiss  
Perkins Coie

Porzio Bromberg

= 9

Proskauer Rose  
Schulte Roth

## **SEC Considers NYSE Proposal To Ease Blank Check Rules**

The U.S. Securities and Exchange Commission will launch deliberations on a New York Stock Exchange proposal to ease listing rules on blank check companies, which make up a growing subset of the initial public offerings market, according to an order Monday. Read more »

## **ENERGY & ENVIRONMENTAL**

### **Feature**

### **Legal Scorecard Belies EPA's Rosy Deregulatory Outlook**

= 9

A U.S. Environmental Protection Agency report touting Administrator Scott Pruitt's first-year accomplishments doesn't mention the legal snags encountered by the agency as it tries to roll back implementation of Obama-era energy and environmental rules. Here's a recap of the EPA's past defeats and current battles, as well as a preview of the fights to come. Read more »

### **Interior Secretary Touts Slashed Regs, New Drilling Options**

U.S. Secretary of the Interior Ryan Zinke told energy industry leaders on Tuesday that he has flipped the script on outer continental shelf oil and gas leases, opening 90 percent of the acreage for development, and is also on pace to cut 22 regulations for every new rule enacted. Read more »

### **9th Circ. Digs Into Ore. Low-Carbon Fuel Standards Dispute**

An engaged Ninth Circuit panel Tuesday questioned fuel industry groups on their claim that Oregon's system for enforcing low-carbon fuel standards unconstitutionally discriminates against companies based out-of-state, while pressing Oregon's attorney on whether the

Seyfarth Shaw

= 9

Shearman & Sterling

Sidley Austin

Simpson Thacher

= 9

Skadden

= A

SmithAmundsen LLC

Squire Patton Boggs

= 9

Sullivan & Cromwell

Valle Makoff

Vinson & Elkins

Wachtell Lipton

Walden Macht

Wilentz Goldman

Willkie Farr

Yurko Salvesen

### **COMPANIES**

23andMe Inc.

AT&T Inc.

Amazon.com Inc.

= 9

American Bar Association

American Chemistry Council Inc.

American Civil Liberties Union

American Federation of Teachers

= 9

American Fuel & Petrochemical Manufacturers

= 9

American Petroleum Institute Inc.

American Trucking Associations Inc.

Associated Press

Bank of America Corporation

Broadcom Ltd.



groups deserve a fuller hearing at the trial-court level. [Read more »](#)

### **DC Circuit Clarifies EPA's 'Sham Recycling' Rule Decision**

The D.C. Circuit Court on Tuesday modified its ruling last year that struck down portions of the U.S. Environmental Protection Agency's regulatory definition of solid waste, agreeing with industry arguments over scope and making it easier to exclude some material from regulation. [Read more »](#)

### **EPA, Fisheries Won't Rethink OK Of Sediment Standard = 9**

The U.S. Environmental Protection Agency and National Marine Fisheries Service urged a Washington federal judge Monday to dismiss an environmental group's suit challenging a finding that commercial salmon farms would not adversely affect threatened species, arguing the agencies had no duty or authority to revisit the decision. [Read more »](#)

= A

### **Senate Dems Want Answers On EPA Head's Security Chief**

A pair of Democratic senators on Tuesday asked U.S. Environmental Protection Agency Administrator Scott Pruitt to hand over information on his security chief Nino Perrotta, driven by concerns that Perrotta may have influenced EPA contracts awarded to one of his business partners. [Read more »](#)

### **Experts Urge Delicate Approach On NAFTA, Tariffs**

The chairman and CEO of Emerson Electric Company and the president and CEO of the Federal Reserve Bank of Dallas told energy industry leaders on Tuesday evening that while the North American Free Trade Agreement is in need of tweaks and upgrades, it's something that should be done carefully. [Read more »](#) = 9

HEALTH & LIFE SCIENCES

Business Intelligence Associates Inc.

Cable News Network Inc.

Center for Biological Diversity Inc.

= 9

Centerview Partners LLC

Chevron Corporation

Competitive Power Ventures Holdings LLC

Credit One Bank NA

Deutsche Bank AG

= 9

Eastman Kodak Co.

Emerson Electric Co.

Experian

Facebook

Freeport-McMoRan Inc.

Goldman Sachs Group Inc.

Google Inc.

Hutchison 3G UK Holdings Ltd.

IHS Markit Ltd.

Investment Company Institute

JPMorgan Chase & Co.

= 9

Lambda Legal Defense & Educational Fund

Land of Lincoln Mutual Health Insurance Co.

= A

LinkedIn Corp.

MGM Resorts International

Microsoft Corporation

Moelis & Co.

Molina Healthcare, Inc.

Morgan Stanley

= 9

NASDAQ OMX Group Inc.

NXP Semiconductors NV

= 9

---

= 9

### **FDA Backs 23andMe Tests For Breast Cancer Risks**

The U.S. Food and Drug Administration said Tuesday it will allow genetics research company 23andMe to conduct new direct-to-consumer testing of three mutations in a gene that are associated with higher risks of breast, ovarian and prostate cancer. [Read more »](#)

= 9

### **Teva Blocking Senate Opioid Investigation, McCaskill Says**

Teva Pharmaceutical Industries Ltd. is refusing to provide the U.S. Senate with documents requested as part of an investigation into how drug manufacturers and distributors contributed to the opioid crisis, Sen. Claire McCaskill said Tuesday. [Read more »](#)

## **INSURANCE**

---

### **NJ Insurance Fraud Prosecutor, AG Division Leaders Named**

Three longtime prosecutors have been tapped for leadership roles within New Jersey's Department of Law and Public Safety to oversee civil litigation, criminal prosecutions and insurance fraud matters, the state attorney general's office announced Tuesday. [Read more »](#)

## **EMPLOYMENT**

---

= 9

### **Labor Sec. Says He's Fine With Congress Protecting Tip Pools**

Labor Secretary Alex Acosta said he would support a law blocking employers from pocketing workers' tips Tuesday at a wide-ranging budget hearing that also touched on work visas, a proposal to let businesses join together to form health insurance "associations," and a new initiative helping

National Association of Broadcasters

National Association of Manufacturers

= 9

National Education Association

Natural Resources Defense Council

Netflix Inc.

Philadelphia Trial Lawyers Association

QUALCOMM Incorporated

Regents of the University of California

Sierra Club

= 9

Skype Technologies SA

Spotify Technology SA

Tax Foundation

Teva Pharmaceutical Industries Limited

Twitter Inc.

Uber Technologies Inc.

= 9

United States Steel Corporation

United Steelworkers

Vodafone Group plc

Vonage Holdings Corp.

Wayfair LLC

Wells Fargo & Co.

## **GOVERNMENT AGENCIES**

Bureau of Citizenship and Immigration Services

= 9

Bureau of Labor Statistics

California Air Resources Board

Committee on Foreign Investment in the United States

Department of Commerce

Drug Enforcement Administration

employers come clean on wage violations without litigation. [Read more »](#)

### **GAO Advises Agencies On Aiding Retirement Account Holders**

The U.S. Department of Labor needs to pressure employers to search for retirement plan participants who have lost track of their savings, while the IRS needs to clear up how participants in foreign retirement plans should report their savings, the U.S. Government Accountability Office said Monday. [Read more »](#)

= 9

### **Nashville Mayor Resigns After Pleading Guilty To Wage Theft**

= 9

The mayor of Nashville resigned Tuesday after pleading guilty in Tennessee state court to felony theft of over \$10,000, which prosecutors said was related to an extramarital affair she had with her former head of security. [Read more »](#)

## **AEROSPACE & DEFENSE**

= 9

### **US Blasts Disclosure Bid In Transgender Military Ban Fight**

The federal government said Monday it need not fork over more information about the witnesses and documents that may be used to defend a ban on transgender military service members, arguing the U.S. has provided everything it must so far regarding a yet-to-be-finalized policy. [Read more »](#)

## **INTERNATIONAL TRADE**

= 9

### **Trump's Steel, Aluminum Tariffs May Cost \$9B, Analysis Says**

The costs associated with the Trump administration's announcement that steel and

= 9

European Commission

European Union

Executive Office of the President

Federal Aviation Administration

Federal Bureau of Investigation

Federal Communications  
Commission

Federal Reserve Bank of Dallas

= 9

Food and Drug Administration

Government Accountability Office

Internal Revenue Service

= 9

Mashantucket Pequot Tribal Nation

Mohegan Tribe

NAFTA

National Labor Relations Board

National Marine Fisheries Service

= 9

National Telecommunications and  
Information Administration

Office of the U.S. Trade  
Representative

Oregon Department of Justice

Pennsylvania Department of  
Revenue

= 9

Pennsylvania Supreme Court

Pension Benefit Guaranty Corp.

Securities and Exchange  
Commission

U.S. Attorney's Office

U.S. Department of Defense

U.S. Department of Health and  
Human Services

U.S. Department of Homeland  
Security

U.S. Department of Justice

U.S. Department of Labor

aluminum imports will be slapped with 25 percent and 10 percent tariffs will be borne by U.S. companies and eventually domestic consumers, with total costs potentially reaching \$9 billion in 2018, according to a Tax Foundation analysis published Tuesday. Read more »

= 9 TAX

---

= 9

### **States Can Tax Remote Sellers Despite Quill, US Says**

President Donald Trump and Treasury Secretary Steven Mnuchin have favorably discussed it, but the nation's top litigator made it official on Monday: The position of the United States is that states have the authority to compel remote sellers to collect and remit use tax. Read more »

= A

### **House Panel Chair Favors IRS Funding To Implement Tax Law**

= 9

The head of the House Appropriations subcommittee responsible for funding the Internal Revenue Service on Tuesday said he supported giving the agency the resources it needs to carry out implementation of the new tax law passed in December. = 9 Read more »

= 9

### **Amazon Will Begin Collecting Pa. Sales Tax April 1**

Amazon.com Inc., the world's largest retailer, confirmed to Law360 on Monday that it will begin automatically calculating, collecting and remitting sales tax in Pennsylvania starting April 1 for all transactions it facilitates for out-of-state sellers. Read more »

### **Think Tank Criticizes EU's Plan To Tax Digital Economy**

= 9 The European Commission's plan to tax the digital economy is based on distorted

= 9

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. House Committee on Energy and Commerce

U.S. House of Representatives

U.S. Senate

U.S. Supreme Court

World Trade Organization

financial data that doesn't reflect the effective corporate rates that many tech companies are already paying, according to a recent report from a think tank in Europe. [Read more »](#)

## BANKRUPTCY

---

= 9

### **Puerto Rico Regulator Wants Power in PREPA Restructuring**

Looking to draw jurisdictional boundaries, Puerto Rico's energy regulator has filed an adversary complaint against the island's electric utility and the federal board shepherding the territory through its historic debt crisis, saying it must authorize any restructuring changes that impact its areas of oversight. [Read more »](#)

## IMMIGRATION

---

### **Feds Can't Use DACA Info For Enforcement, Judge Says = 9**

A Maryland federal judge ruled Monday that the Trump administration didn't err in deciding to rescind the Deferred Action for Childhood Arrivals program but said it cannot use DACA information for enforcement purposes in an opinion that quotes the famous words of Rodney King — "Can we all get along?" [Read more »](#)

= A

### **Calif. Judge Won't Toss 'Sanctuary' City Funding Suits**

A California federal judge on Monday denied the Trump administration's bid to toss two suits challenging its policies towards so-called "sanctuary" communities for undocumented immigrants, but rejected California's request that the court greenlight a \$1 million federal grant the state believes is in jeopardy. [Read more »](#)

## NATIVE AMERICAN

---

= 9

### **Tribes, Feds Fight MGM Bid To Join Conn. Casino Row**

Two tribes and the state and federal entities in a suit alleging the U.S. government failed to act in time on proposed amendments to a new Connecticut casino deal urged a Washington, D.C., federal court Monday to deny MGM Resorts' bid to intervene, saying the entertainment giant has no business getting involved. [Read more »](#)

## **TELECOMMUNICATIONS**

---

= 9

### **House Passes Bipartisan FCC Reauthorization = 9**

The House of Representatives passed the reauthorization Tuesday of the Federal Communications Commission, sending a package of agency reforms to the Senate with bipartisan support. [Read more »](#)

= 9

### **Three, Vodafone Hit With UK Net Neutrality Violation Probe**

The United Kingdom's telecom regulator is investigating Hutchison 3G UK Ltd. and Vodafone Ltd. for potential violations of the European Union's new net neutrality regulations against throttling and other data practices, the agency announced Tuesday. [Read more »](#)

### **= 9 CFIUS Details Concerns Over Broadcom's Qualcomm Bid**

The Committee on Foreign Investment in the U.S. is investigating whether Broadcom's proposed \$117 billion hostile takeover of Qualcomm will harm national security by weakening U.S. influence over 5G standardization and disrupting U.S. Department of Defense technology contracts, according to a letter from the U.S. Treasury released Tuesday. [Read more »](#)

= 9

### **= 9 Spectrum Clearing Is A Federal Priority, NTIA Head Says**

The federal government must drill down on repurposing spectrum to stay competitive as wireless networks transition to 5G technology, the head of the National Telecommunications and Information Administration told U.S. representatives during a congressional hearing Tuesday. [Read more »](#)

### **Rural Web, Cell Carriers List 'Pain Points' To House Panel**

Groups representing small wireless carriers and internet service providers on Tuesday appeared before the House Small Business Committee, appealing for a multi-faceted approach to service obstacles for rural and low-income communities. [Read more »](#)

### **PEOPLE**

= 9

---

= A

### **Senate Confirms Skadden Partner For USTR Leadership Team = 9**

The Senate approved a Skadden Arps Slate Meagher & Flom LLP partner to serve in the Office of the U.S. Trade Representative on Monday, filling the last deputy slot to assist USTR Robert Lighthizer in crafting U.S. trade policy. [Read more »](#)

### **POLITICS**

---

### **Philly Bar Groups Defend Justices In Redistricting Fight**

Organizations representing both Philadelphia's plaintiffs attorneys and civil defense attorneys on Tuesday jointly announced their support of Pennsylvania Supreme Court justices who have recently been the subject of impeachment threats after ruling to impose new congressional districts to correct for partisan gerrymandering. [Read more »](#) = A

### **Corp. Donation Ban Hurts Free Speech, Mass. Justices Hear**

A pair of Massachusetts corporations on Tuesday asked the Supreme Judicial Court to strike down a century-old state law that bans corporations from making political contributions, while allowing unions and nonprofits to donate to candidates and cases, a status quo the businesses say violates their rights to free speech and equal protection. = 9  
[Read more »](#)

= 9

### **Mass. High Court Ponders Impact Of Nixing Voter Deadline**

The Massachusetts Supreme Judicial Court appeared concerned Tuesday about the ramifications of nixing the state's 20-day cutoff to register to vote, saying during oral arguments on a bid to loosen the requirement that it's unclear what the impact would be.  
[Read more »](#)

## **WHITE COLLAR**

---

### **3 Jurors Want Out Amid Deadlock In Trial Of Ex-Cuomo Aide**

The jury weighing bribery charges against a former aide to New York Gov. Andrew Cuomo peppered a federal judge Tuesday with four testy notes, one signaling a deadlock and three from individuals begging to be excused, including one who wrote she "physically and emotionally cannot do this anymore." [Read more »](#)

## **EXPERT ANALYSIS**

---

### **Congressional Forecast: March**

Upcoming congressional action for the duration of March appears likely to resolve the budget and appropriations impasse of the last several months, after U.S. House and Senate leaders and the White House were able to reach an agreement last month on topline spending numbers for fiscal year 2018, say Layth



Elhassani and Kaitlyn McClure of Covington & Burling LLP. [Read more »](#)

= 9

### **'Risk Corridor' Litigation: Who Speaks For The Gov't?**

One of the most heavily litigated issues in recent years involves "risk corridor" payments related to Section 1342 of the Affordable Care Act. There are a lot of interesting concerns in these cases, one of which is the conflicting views of the U.S. Departments of Justice and Health and Human Services, says Ralph Nash, professor emeritus of law at George Washington University. [Read more »](#)

### **TCPA Rules For VoIP Demand The Impossible From Cos.**

= 9The Federal Communications Commission's regulatory treatment of voice over internet protocol services appears to clash with standards set by recent court decisions. Given that the use of VoIP services will only increase, the FCC should impose a more consistent and practical rule, says Eduardo R. Guzmán of Squire Patton Boggs LLP. [Read more »](#)

= 9

### **10 Tips For Working With IT To Preserve Data**

Increasingly, when courts impose a "legal hold" they require legal supervision of the preservation process, meaning lawyers must rely heavily on information technology professionals to execute the mechanics. John Tredennick of Catalyst Repository Systems and Alon Israely of TotalDiscovery offer insights on how legal and IT can work together to make the process more efficient and fulfill the company's legal obligations. [Read more »](#)

## **LEGAL INDUSTRY**

---

= 9

### **ABA Warns Attys On Ethics Of Social Media 'Hypotheticals'**

Lawyers who posit "hypotheticals" based on real client details on their blogs and via Twitter risk running afoul of their duty to keep confidences, the American Bar Association warned Tuesday. [Read more »](#)

### **Mighty Raises \$114M Fund For Litigation Funders**

Mighty, a technology service provider for litigation funders, is making a move into the industry's budding secondary market, announcing on Tuesday that it has raised \$114 million to help personal injury-focused litigation funders scale their businesses. [Read more ½ B](#)

= 9

### **Recruiter Told To Amend Simpson Thacher Search-Fee Suit**

= 9

A New York federal judge has urged an attorney recruiter that accused Simpson Thacher & Bartlett LLP of failing to pay a \$937,500 matchmaking bill to amend its complaint against the law firm, saying at a Tuesday hearing it could narrow the dispute and get the case moving. [Read more = 2](#)

= 9

### **9th Circ. Revives Loan Advice Suit Against Heller Ehrman**

= 9

A California federal bankruptcy judge erred when he decided the relationship between Heller Ehrman LLP and former client Paravue Corp. "conclusively terminated" in 2007 and started the clock running on Paravue's \$20 million malpractice suit, the Ninth Circuit said Monday. [Read more »](#)

### **LSAT Test Maker In Contempt Over Disability Compliance**

A California federal judge held the Law School Admission Council in civil contempt Monday

after finding the LSAT test maker violated a settlement agreement by failing to accommodate test takers with disabilities, extending the agreement in question by two years and calling for two more audits of LSAC's compliance. [Read more »](#)

= 9

Feature

### **ABA TechShow Tackles Mental Health With 12-Step Meetings**

= 9 Efforts to stem the tide of mental health issues such as addiction among lawyers are mounting, and an American Bar Association conference in Chicago this week is including 12-step meetings in its official schedule for the first time. [Read more »](#)

#### **JOBS**

[Search full listings or advertise your job opening](#)

Not sure if your firm subscribes? Ask your librarian.

We hope you found this message to be useful.  
However, if you'd rather not receive future emails of this sort,  
[you may unsubscribe here.](#)

Please DO NOT reply to this email. For customer support inquiries, please call 1-646-783-7100 or visit our [Contact Us](#) page.

Law360 | Portfolio Media, Inc, 111 West 19th Street, 5th Floor, New York, NY 10011

**From:** Health Policy Institute of Ohio  
**Sent:** Wednesday, March 7, 2018 7:34 AM  
**To:** Rep93  
**Subject:** Join HPIO for an online seminar on connections between income and health

## Unsubscribe

It appears that you have subscribed to commercial messages from this sender. To stop receiving such messages from this sender, please [unsubscribe](#)

= A

= A

## Online seminar Connections between income and health



### When

Friday, April 6, 2018 from  
12:00 PM to 1:00 PM EDT

[Add to Calendar](#)

### Where

**This is an online event.**

Please register to attend this event. Follow the instructions in your confirmation email to sign up for the webinar using the GoToWebinar website.

More than a century of research has found strong connections between income and health. As a group, people with higher incomes live longer and experience better mental and physical health outcomes. Understanding how income influences health can inform policies, programs and resource allocation to improve both the health and economic wellbeing of Ohioans.

From 12 p.m. to 1 p.m. on Friday, April 6, the Health Policy Institute of Ohio will host a webinar to share highlights from a recent publication, **Connections between Income Health**. A panel of experts will discuss current state-level initiatives to improve incomes and employment opportunities for Ohioans.

Speakers include:

- **Michael Evans**, Project Manager, Ohio Governor's Office of Workforce Transformation
- **Greg R. Lawson**, Research Fellow, The Buckeye Institute

Follow us on 

- **Zach Reat**, Health Policy Analyst, Health Policy Institute of Ohio
- **Kalitha Williams**, Policy Liaison, Policy Matters Ohio

## **Register Now!**

*After you register for the event you will receive an email confirmation with the webinar link and login credentials. You will need to sign up for the webinar using the GoToWebinar website to be able to view the webinar on 4/6/2018. If you have questions or need assistance, please contact Alana Clark-Kirk, [aclarkkirk@hpio.net](mailto:aclarkkirk@hpio.net).*

Sincerely,

Alana Clark-Kirk  
Health Policy Institute of Ohio  
[aclarkkirk@healthpolicyohio.org](mailto:aclarkkirk@healthpolicyohio.org)  
614-545-0755

Health Policy Institute of Ohio, 10 W Broad St,  
Suite 1150, Columbus, OH 43215

[SafeUnsubscribe™ rep93@ohiohouse.gov](#)

[Forward email](#) | [Update Profile](#) | [About our service provider](#)

Sent by [aclarkkirk@healthpolicyohio.org](mailto:aclarkkirk@healthpolicyohio.org) in collaboration with

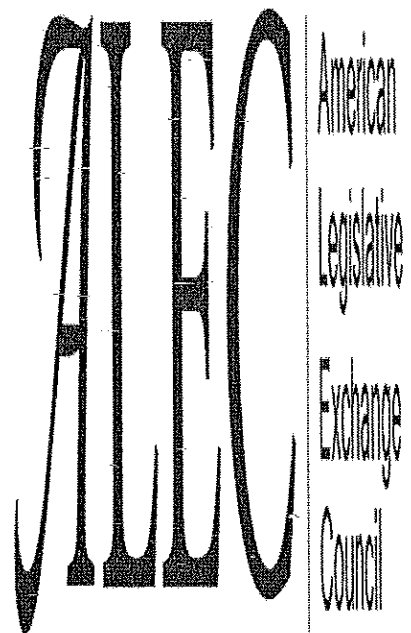


Try it free today

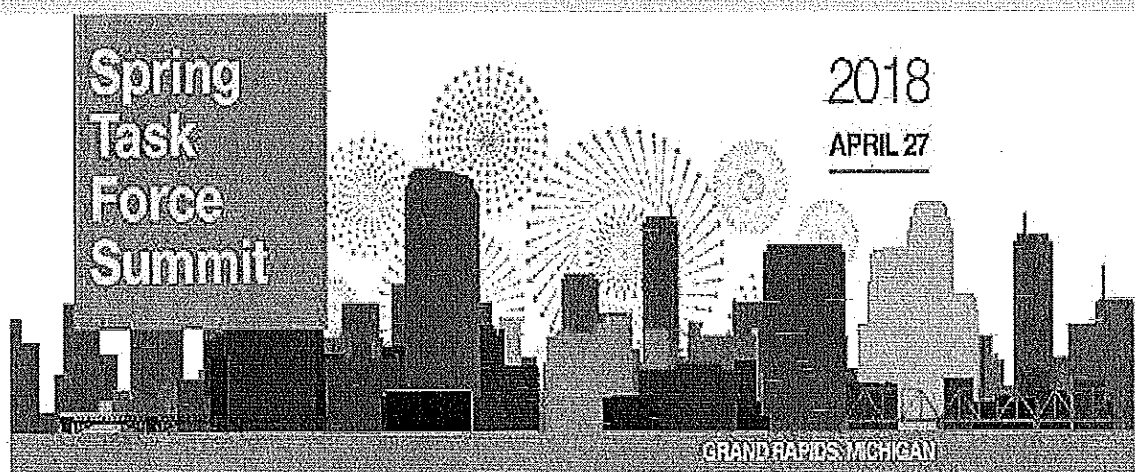
**From:** Courtney Cook  
**Sent:** Wednesday, March 7, 2018 10:41 AM  
**To:** Rep93  
**Subject:** Discussing Internet Tax at STFS!

## Unsubscribe

It appears that you have subscribed to commercial messages from this sender. To stop receiving such messages from this sender, please [unsubscribe](#)



LIMITED GOVERNMENT • FREE MARKETS • FEDERALISM



## **Internet Tax Workshop: Addressing Potential New Burdens on Interstate Commerce and Economic Growth**

Some state policymakers are attempting to resolve their overspending problems by forcing non-resident online retailers located outside of their jurisdiction to ask as tax collection agents for their state. This misguided bid utterly violates the constitutional principles that spur innovation, entrepreneurship, and commerce! ALEC, guided by its principles, members and model policy, opposes this and similar actions. Find out more and provide your insights at the **Internet Tax Workshop: Addressing Potential New Burdens on Interstate Commerce and Economic Growth** on Friday, April 27, 2018 at 11:00 AM.

Join us in Grand Rapids, MI at the Spring Task Force Summit as the task force continues discussions on issues that are effecting your state!

Remember, **March 13**, just a short week away, is the deadline to submit any proposed model policy, resolution or statement of principles to be considered at the Spring Task Force Summit.



## **ALEC Legislative Members**

### **Take Advantage of ALEC CARE Training**

Want to know what some ALEC Legislative members consider one of the most valuable benefits of membership? Come see a constituent relationship management system that will transform the way you interact with your constituents. Better yet, it's free as a member benefit.

ALEC will host demonstrations Thursday, April 26 and Friday, April 27 at the Spring Task Force Summit.

RSVP to Ashley Varner



Full Conference Agenda

**Have you registered for the ALEC 2018 Spring  
Task Force Summit?**

**When:** April 27, 2018

**Where:** The Amway Grand Plaza

Grand Rapids, MI

**Early Bird Deadline:** April 6, 2018

**>> REGISTER NOW**

**Make your reservation today at the Amway  
Grand Plaza**



Book now through **April 6, 2018\*** at the ALEC rate of **\$179**  
per night.

*\*based on availability*

**Book Now**

FOLLOW US



**Questions?** Contact us at [meetings@alec.org](mailto:meetings@alec.org)

**Unsubscribe**

This message was sent to [rep93@ohiohouse.gov](mailto:rep93@ohiohouse.gov) from [CCook@alec.org](mailto:CCook@alec.org)

Courtney Cook  
ALEC  
2900 Crystal Drive, 6th Floor  
Arlington, VA 22202

---

**iContact**  
TRY IT FOR FREE ▶

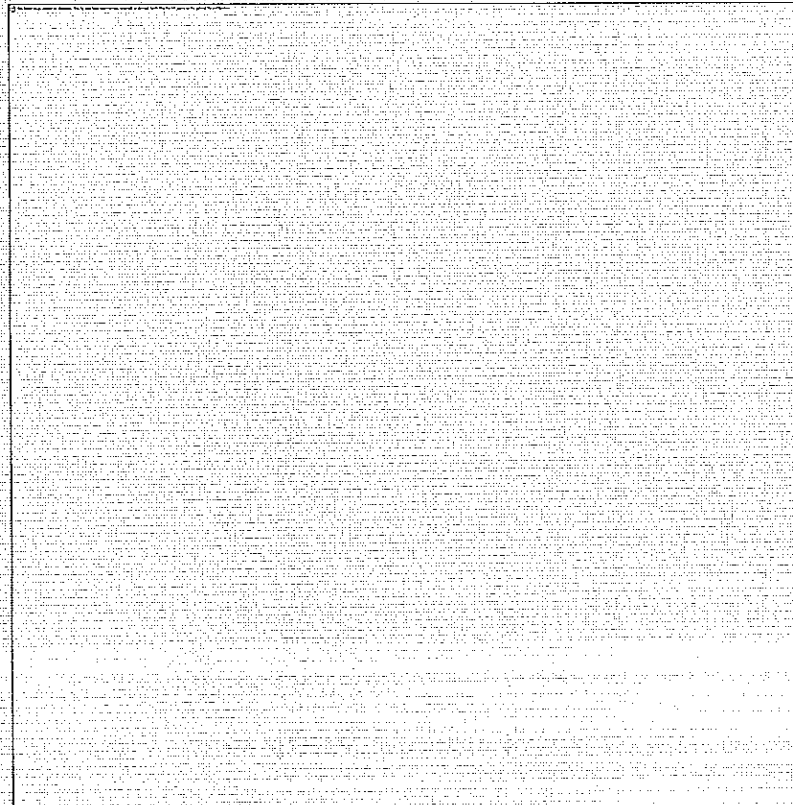
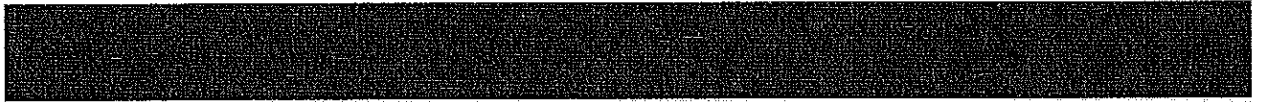
**From:** Morning Consult

**Sent:** Saturday, March 10, 2018 3:31 PM

**To:** Rep93

**Subject:** Top Washington Reads, Presented by CVS Health

**Attachments:** ATT00001.txt; ATT00002.htm



**Top Stories**

**1) Trump Trails Generic Democratic Candidate in Hypothetical Presidential Race**

Eli Yokley

**2) Interest Down Ahead of NCAA Tournament, But Bracket Playing About Steady**

Edward Graham

**3) Administration Eyes New Direction for CMS Innovation Office**

Jon Reid

**SPONSORED BY CVS HEALTH**

**Helping fight the opioid epidemic**



**CVS**Health.

**Learn more**

**CVS Health: Helping to Fight the Opioid Epidemic**

Helping to fight the opioid epidemic by:

- Educating 300,000 teens on dangers of opioids
- Helping limit amount of opioids dispensed
- Installing drug collection boxes

Learn more.



This email was sent by: Morning Consult  
PO Box 27068 Washington, DC, 20038, US

[Manage your email preferences](#)

SUBSCRIBE

~~~~~  
~~~~~  
~~~~~  
~~~~~

!!!! Unsubscribe

!!!!

It appears that you have subscribed to  
commercial messages from this sender.  
To stop receiving such messages from this sender, please  
unsubscribe : <[http://secure-  
web.cisco.com/1G1BJrBbsq3FzGCSiqjnwzBjqYnieyvam963DXMh\\_GBklqbpbkWs](http://secure-web.cisco.com/1G1BJrBbsq3FzGCSiqjnwzBjqYnieyvam963DXMh_GBklqbpbkWs)  
-  
eDh8RuBLp8PtOHudMVQIFN5Q1qgBBJGJxSNB5uKbaWECFd2y1kd\_eEM6QSMzKa8TB  
OPI9DctVZ0b0yNj\_2lJRv3oy96Lj40Ai6J2tZj7JRNPKjEpAhDrEWQlCfK2KkJ2x9  
4H3IXJ8-  
iDl3go0Kr60cldYwkUuHvhOOZftjTU6rP7ScC\_sh5bFGSZiHufZ96j6K0kNh4a5Si  
y0KnIjuSiTEPVHrePvxBWUTWpJT2ZfOD9npydh-ZQBaNomlKp5GQZjwbzk-  
mtw7EPPp4XAGCdi0hlTGLfnl-J-  
G8KHpaw\_C4FU8nOa93jyzijvyQKKvPPQFDRVoj3yJfQGJ-  
qacGdzuzP46SU39r\_OWkFBgppQrTI3H-  
bxGHtdDBjXlHW3yNiLezEgQiMucoa0rO9SwoajXGu7\_ahLrZo01A/1126%3Amailt  
o%3Aleave-fd1c157473606b2531492c-fe65107170640c797510-  
fec417737c660279-fe9413727161047c7d-  
ffcf14%40leave.e.morningconsult.com186%3Ahttps%3A%2F%2Fclick.e.mo  
rningconsult.com%2Fprofile\_center.aspx%3Fqs%3D1d36eeee652102200a0  
d8d6ebc6f06003913205fcdd46d507b6779ab5edec89049e8c9204f48f883d3ec  
804d70e8f3f9fdc1cle81337c33321b763591e4c1350135%3Ahttps%3A%2F%2Fc  
lick.e.morningconsult.com%2F%3Fqs%3D3fbb8b19abe92ab2a725b3624bc36  
5bbbb286d1fa3efbccb790e664e01b50a6d109cec98b694fca8bdf67645c4fd95  
fee>

~~~~~  
~~~~~  
~~~~~  
~~~~~

<div style="border: 1px solid;margin: 10px 0px;padding: 15px 10px 15px 50px;background-repeat: no-repeat;background-position: 10px center;color: #9F6000;background-color: #FEEFB3;font-family: Arial, Helvetica, sans-serif;">

<p style="font-size: 18px;">Unsubscribe</p>

<p style="font-size: 13px;">It appears that you have  
subscribed to commercial messages from this sender.

To stop receiving such messages from this sender, please <a  
href=http://secure-

web.cisco.com/1G1BJrBbsq3FzGCSiqjnwzBjqYnieyvam963DXMh\_GBklqbpbkWs

-  
eDh8RuBLp8PtOHudMVQIFN5Q1qgBBJGJxSNB5uKbaWECFd2y1kd\_eEM6QSMzKa8TB  
OPI9DctVZ0b0yNj\_2lJRv3oy96Lj4OAi6J2tZj7JRNPKjEpAhDrEWQ1CfK2KkJ2x9  
4H3IXJ8-

iDl3go0Kr60cldYwkUuHvhOOZftjTU6rP7ScC\_sh5bFGSZiHufZ96j6K0kNh4a5Si  
y0KnIjuSiTEPVHrePvxBWUTWpJT2ZfOD9npydh-ZQBaNomlKp5GQZjwbzk-  
mtw7EPPp4XAGCdi0hLTGLfnl-J-

G8KHpaw\_C4FU8nOa93jyzijvyQKKvPPQFDRVoj3yJfQGJ-

qacGdzuzP46SU39r\_OWkFBgppQrTI3H-

bxGHtdDBjXlHW3yNlLezEgQiMucoa0rO9SwoajXGu7\_ahLrZo01A/1126%3Amailt  
o%3Aleave-fd1cl57473606b2531492c-fe65107170640c797510-

fec417737c660279-fe9413727161047c7d-

ffcf14%40leave.e.morningconsult.com186%3Ahttps%3A%2F%2Fclick.e.mo  
rningconsult.com%2Fprofile\_center.aspx%3Fqs%3D1d36eeee652102200a0  
d8d6ebc6f06003913205fcdd46d507b6779ab5edec89049e8c9204f48f883d3ec  
804d70e8f3f9fdclcle81337c33321b763591e4c1350135%3Ahttps%3A%2F%2Fc  
lick.e.morningconsult.com%2F%3Fqs%3D3fbb8b19abe92ab2a725b3624bc36  
5bbbb286dlfa3efbccb790e664e01b50a6d109cec98b694fca8bdf67645c4fd95  
fee>unsubscribe</a></p>

</div>

= A

**From:** Ashley Varner

**Sent:** Monday, March 12, 2018 7:15 PM

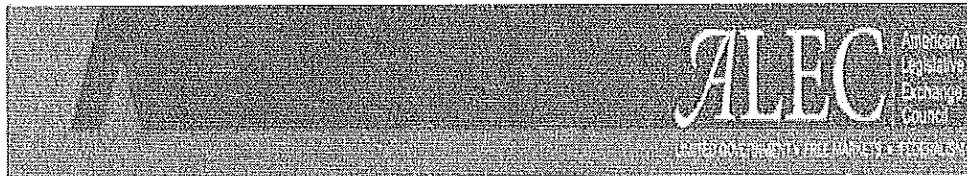
**To:** Rep93

**Subject:** Ryan, Add Your Name: Open Letter to Congress Opposing Sales Tax Collection Across State Lines

Dear Ryan,

Please add your name to the below ALEC coalition letter advising Congress not to allow states to require sales tax collections on businesses that have no physical presence within the respective state.

Such aggressive taxation would require businesses to understand and comply with rates, exemptions, rules, tax holidays and other peculiarities for 12,000 different tax jurisdictions. State lawmakers across the country are urging Congress not to allow such aggressive taxation. Please join the letter today by providing your name here.



= 9

March 12, 2018

Dear Members of Congress,

As state legislators, we oppose the attempts to overturn constitutional precedent safeguarding Congress's essential authority to protect interstate commerce from discriminatory regulation and taxation. As a result, commerce has grown, unfettered between the states. Such a populous and geographically expansive free trade zone is largely responsible for the abundance of wealth and opportunity—unrivaled in history—spread across our nation. Unfortunately, some state policymakers are attempting to resolve their overspending problems to look aggressively beyond their own state lines for tax revenue. This misguided bid to resolve their overspending problems utterly violates the constitutional principles that provide a proving ground for innovation, entrepreneurship and small businesses.

The U.S. Constitution was written to replace the Articles of Confederation in no small part due to the latter's failure to prevent a spiraling interior "war" of states who could assert tax and regulatory authority outside their borders and thereby create fiefdoms for themselves. The Constitution's Commerce Clause and subsequent jurisprudence make clear that taxing power must be limited by state borders. Businesses lacking a "substantial nexus" or link to a state through a "physical presence" such as offices, employees, or property, cannot be forced to act as tax collection agents for that state (*Quill Corp v North Dakota* (1992)). If the Supreme Court overturns *Quill*, state tax collectors would be empowered to reach across their boundaries to collect taxes from non-resident online retailers located



outside of their jurisdiction. These retailers could face fines or legal challenges from taxing jurisdictions based on rules in which the online retailers have no voice.

Forcing online retailers to understand and comply with remote rates, exemptions, rules, tax holidays, or other peculiarities of 12,000 different tax jurisdictions (roughly twice as many as existed in 1992) is highly discriminatory. Contrast this with the treatment of sales in similar brick-and-mortar businesses, which only require collection of tax for the jurisdiction in which they are physically located. The compliance costs would fall particularly hard on specialty businesses and small sellers that are dependent on the internet to reach their customers. This would stunt economic dynamism, deter business activity, and unreasonable burden businesses engaging in interstate commerce.

As state legislators, we recognize the threat to growth, and to each of our states, posed by the potential unleashing of aggressive out-of-state tax collectors and auditors on businesses located elsewhere. For nearly 20 years, ALEC members have steadfastly supported the physical presence standard outlined in Quill through model policies such as the Sales and Use Tax Collection Protection Act as well as the 21st Century Commercial Nexus Act. Our constituents overwhelmingly agree (according to a Rasmussen Reports Poll) with our opposition to allowing tax enforcement agents from one state to collect taxes from hardworking individuals and businesses elsewhere. Healthy economic competition in a free market, between the 50 "laboratories of democracy," is at the heart of the American experiment with federalism. Each year, the Rich States, Poor States publication reveals how tax policy affects state tax competition and economic outlook. Blurring—or eliminating—the limits of any individual state's sovereignty—erodes the efficacy of this experiment.

Sincerely,

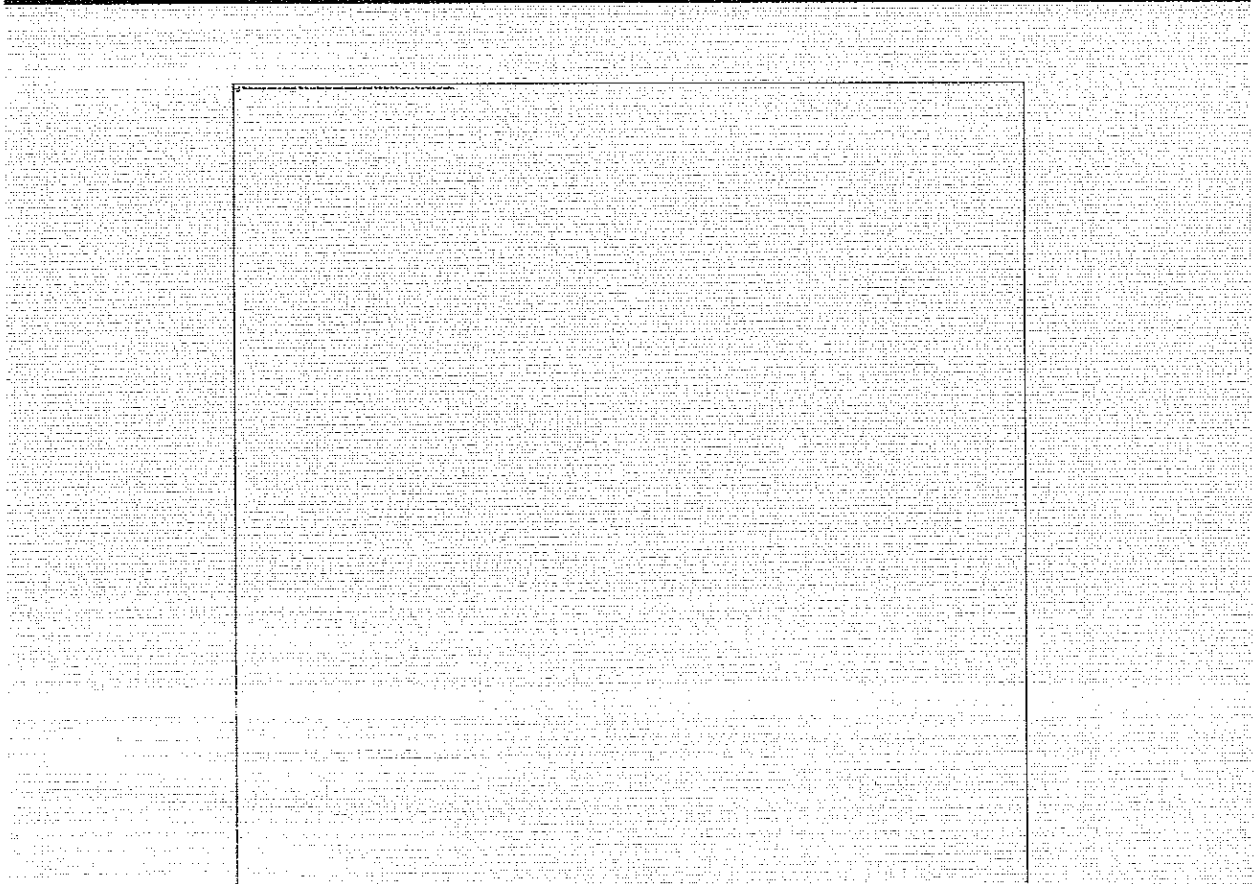
**From:** Morning Consult

**Sent:** Tuesday, March 13, 2018 9:05 AM

**To:** Rep93

**Subject:** Morning Consult Washington, Presented by CVS Health: Trump Ousts Tillerson as Secretary of State, Replaces Him With CIA's Pompeo

**Attachments:** ATT00001.txt; ATT00002.htm



By Eli Yokley

## Top Stories

- President Donald Trump has ousted Secretary of State Rex Tillerson and chosen Mike Pompeo, director of the Central Intelligence Agency, to replace him. Trump, who has long clashed with Tillerson, asked him to step aside last Friday. ([The Washington Post](#))
- Republican members of the House Intelligence Committee said their investigation found no evidence of collusion between Trump's campaign and Russia to sway the 2016 U.S. presidential election. The announcement brought an abrupt close to one of two remaining probes into the issue on Capitol Hill, and it elicited sharp objections from committee Democrats, who have warned Republicans not to end their investigation before special counsel Robert Mueller is finished with his. ([The New York Times](#))
- Trump blocked Broadcom Ltd., a Singapore-based company, from its hostile takeover of U.S. chipmaker Qualcomm Inc., signaling that any deal that could give China an advantage in critical technology will be blocked in the name of national security. China loomed large over the U.S. government's fears about a foreign takeover of Qualcomm, and Trump's executive order regarding the matter said there is "credible evidence" that led him to believe Broadcom, by acquiring Qualcomm, "might take action that threatens to impair the national security of the United States." ([Bloomberg](#))
- A special election is being held today in Pennsylvania's 18th District, where state Rep. Rick Saccone (R) is facing off against former federal prosecutor Conor Lamb (D) for the seat vacated last year by Rep. Tim Murphy (R). Donald Trump Jr., the president's eldest son, campaigned with Saccone on Monday as polling data showed momentum shifting in favor of Lamb in the district, which

has sent a Republican to Congress since it first elected Murphy in 2002. (Pittsburgh Post-Gazette)

---

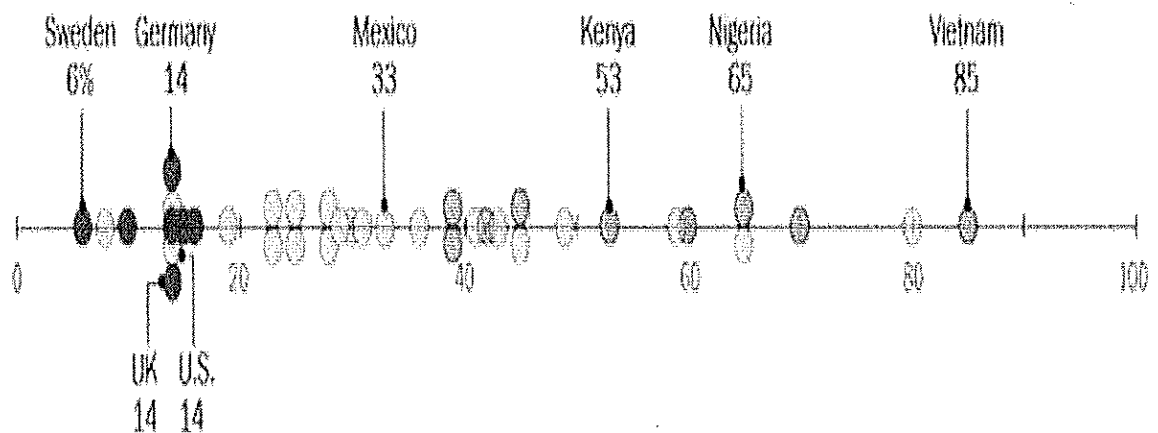
## **Chart Review**

**People in less democratic countries are more likely to say China and Russia respect personal freedoms**  
**Pew Research Center**

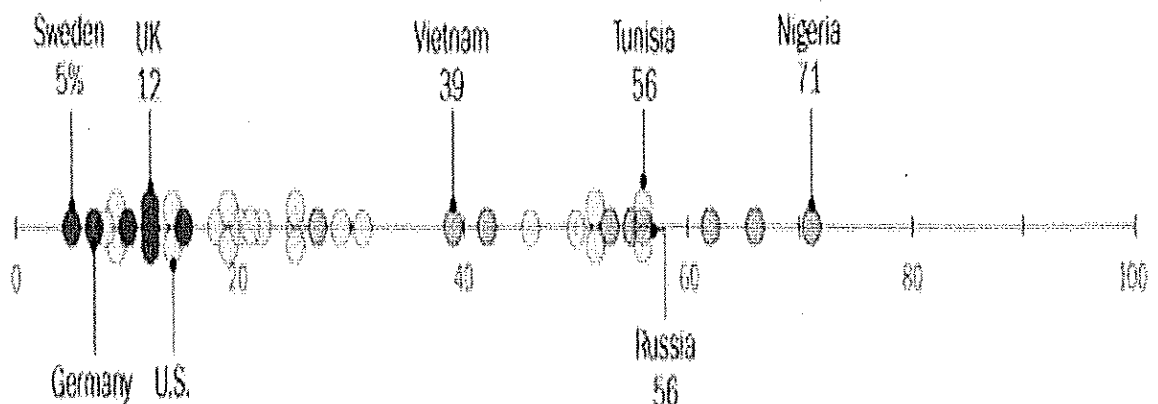
## Ratings for Russian and Chinese respect for personal freedoms vary by regime type

*The government of Russia respects the personal freedoms of its people*

- Full democracy
- Flawed democracy
- Authoritarian or hybrid regime



*The government of China respects the personal freedoms of its people*



## Events Calendar (All Times Local)

### TUESDAY

|                                                                     |            |
|---------------------------------------------------------------------|------------|
| <u>Brookings Institution event on a war on the Korean Peninsula</u> | 9 a.m.     |
| <u>New America event on self-driving cars</u>                       | 11:30 a.m. |
| <u>Hudson Institute event on Syria</u>                              | 12 p.m.    |
| <u>Sen. Lee participates in AEI event on the opioid crisis</u>      | 2 p.m.     |
| <u>Wilson Center event on Russian President Vladimir Putin</u>      | 2:30 p.m.  |

### WEDNESDAY

|                                                                                                    |           |
|----------------------------------------------------------------------------------------------------|-----------|
| <u>Rep. Huizenga participates in Networks Financial Institute's insurance public policy summit</u> | 8 a.m.    |
| <u>Rep. Moulton participates in AEI event on Russian President Vladimir Putin</u>                  | 9 a.m.    |
| <u>Rep. Castro participates in Center for American Progress event on U.S-Japan cooperation</u>     | 9:15 a.m. |
| <u>Defense One event on the future of military communication</u>                                   | 5:30 p.m. |

### THURSDAY

|                                                             |        |
|-------------------------------------------------------------|--------|
| <u>Politico Playbook interview with Bill Gates</u>          | 8 a.m. |
| <u>Sens. Ernst, Peters participate in Defense One event</u> | 8 a.m. |

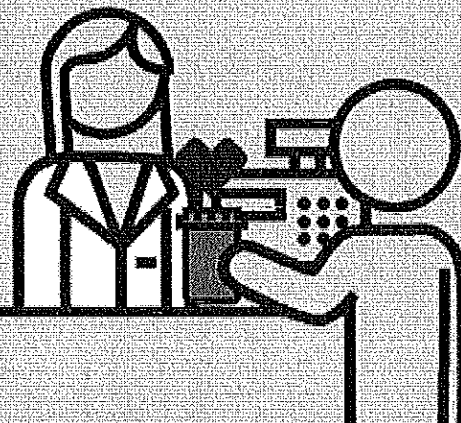
|                                                                                                                 |               |
|-----------------------------------------------------------------------------------------------------------------|---------------|
| <u>DOT's Chao testifies before House Appropriations subcommittee</u>                                            | 9:30<br>a.m.  |
| <u>DOE's Perry testifies before House Appropriations subcommittee</u>                                           | 10 a.m.       |
| <u>DOI's Zinke testifies before House Natural Resources subcommittee</u>                                        | 10 a.m.       |
| <u>HHS's Azar testifies before House Appropriations subcommittee</u>                                            | 10 a.m.       |
| <u>VA's Shulkin testifies before House Appropriations subcommittee</u>                                          | 10 a.m.       |
| <u>Sen. Rubio participates in Heritage Foundation event on Latin America</u>                                    | 12:15<br>p.m. |
| <u>Sen. Klobuchar, Georgian president participate in Atlantic Council event on the U.S.-Georgia partnership</u> | 2 p.m.        |
| <u>IMF's Lagarde participates in Washington Post event</u>                                                      | 5:30<br>p.m.  |

## **FRIDAY**

|                                                                                           |              |
|-------------------------------------------------------------------------------------------|--------------|
| <u>Brookings Institution event on infrastructure</u>                                      | 10 a.m.      |
| <u>Heritage Foundation event on national security repercussions of a NAFTA withdrawal</u> | 1:30<br>p.m. |

**SPONSORED BY CVS HEALTH**

■ **Helping make  
health care  
more affordable**



**CVS**Health

[Learn more](#)

## **CVS Health: Making Health Care More Affordable**

We're going well beyond providing the medicine you need to helping address the rising costs of health care.

Learn more about how CVS Health is going well beyond counters and stores.

### **General**

**Roger Stone claimed contact with WikiLeaks founder Julian Assange in 2016, according to two associates**  
**Tom Hamburger et al., The Washington Post**

In the spring of 2016, longtime political operative Roger Stone had a phone conversation that would later seem prophetic, according to the person on the other end of the line. Stone, an informal adviser to then-



candidate Donald Trump, said he had learned from WikiLeaks founder Julian Assange that his organization had obtained emails that would torment senior Democrats such as John Podesta, then campaign chairman for Democratic presidential candidate Hillary Clinton.

**Qataris opted not to give info on Kushner, secret meetings to Mueller**

**Julia Ainsley et al., NBC News**

Qatari officials gathered evidence of what they claim is illicit influence by the United Arab Emirates on Jared Kushner and other Trump associates, including details of secret meetings, but decided not to give the information to special counsel Robert Mueller for fear of harming relations with the Trump administration, say three sources familiar with the Qatari discussions. Lebanese-American businessman George Nader and Republican donor Elliott Broidy, who participated in the meetings, have both been the focus of news reports in recent days about their connections to the UAE and Trump associates.

**Rod Rosenstein, deputy attorney general, says Robert Mueller is 'not an unguided missile'**

**Kevin Johnson, USA Today**

Despite unrelenting criticism from the White House on the course of the investigation into Russia's election interference, Deputy Attorney General Rod Rosenstein Monday offered unqualified support for special counsel Robert Mueller. "The special counsel is not an unguided missile," Rosenstein said in an exclusive interview with USA TODAY.

**Sessions calls on U.S. attorneys to aggressively prosecute gun buyers who lie on background checks**

**Sari Horwitz, The Washington Post**

Attorney General Jeff Sessions announced Monday that U.S. attorneys will more aggressively enforce the law that makes it a crime for gun buyers to lie on their federal background checks, one of several steps Justice Department officials outlined as part of the Trump administration's response to last month's deadly school shooting in

Parkland, Fla. The Justice Department also will increase the presence of law enforcement officers at schools and continue to review the way law enforcement agencies respond to tips from the public, Sessions said.

**Pentagon chief Mattis arrives in Afghanistan, discusses reconciliation with the Taliban**

**Dan Lamothe, The Washington Post**

Defense Secretary Jim Mattis visited Afghanistan on Tuesday to meet senior U.S. and Afghan officials and discuss both the military campaign and "peeling off" some members of the Taliban to pursue a peace deal with the Afghan government. The unannounced visit comes two weeks after Afghan President Ashraf Ghani made what many observers consider an unprecedented offer, inviting the Taliban to begin peace talks without preconditions to end the 16-year war.

**Congress nears deal to crack down on sexual harassment**

**Heather Caygle and Elana Schor, Politico**

House and Senate negotiators are nearing a deal to significantly rewrite Capitol Hill's workplace discrimination rules in the hopes of attaching it to a must-pass funding bill in the next two weeks. A sweeping overhaul of the Hill's system to address sexual harassment and other workplace misconduct passed the House easily early last month and would serve as the baseline for the proposal, according to aides briefed on the plan.

---

## **Presidential**

**Trump ousts Tillerson, will replace him as secretary of state with CIA chief Pompeo**

**Ashley Parker and Philip Rucker, The Washington Post**

President Trump has ousted Secretary of State Rex Tillerson and replaced him with CIA Director Mike Pompeo, orchestrating a major change to his national security team amid delicate negotiations with North Korea, White House officials said Tuesday. Trump last Friday asked Tillerson to

step aside, and the embattled top diplomat cut short his trip to Africa on Monday to return to Washington.

### **Trump's Message in Blocking Broadcom Deal: U.S. Tech 'Not for Sale'**

**David McLaughlin and Saleha Mohsin, Bloomberg**

With his swift rejection of Broadcom Ltd.'s hostile takeover of Qualcomm Inc., President Donald Trump sent a clear signal to overseas investors: Any deal that could give China an edge in critical technology will be swatted down in the name of national security. Although Broadcom is based in Singapore, China loomed large over the U.S. government's fears about a foreign takeover of chipmaker Qualcomm.

### **White House defends its walkback on gun law proposals**

**Jeremy Diamond and Allie Malloy, CNN**

The White House on Monday defended its piecemeal approach to combating gun violence and insisted President Donald Trump hasn't entirely abandoned the idea of raising the minimum age for purchasing guns, hours after the President said there was "not much political support" for the initiative. "Right now, the President's primary focus is on pushing through things that we know have broad bipartisan support," White House press secretary Sarah Sanders said.

### **Larry Kudlow Is the New Favorite to Replace Gary Cohn**

**Maggie Haberman and Jim Tankersley, The New York Times**

Larry Kudlow, a CNBC television commentator who has informally advised President Trump on economic issues, is currently the top contender to head the National Economic Council, according to three people close to the president. Mr. Kudlow emerged Monday as the latest favorite in a changing rotation of potential replacements for Gary D. Cohn, who said he would resign after losing a battle over the president's longstanding desire to impose large tariffs on steel and aluminum imports.

**Trump Jr., donor have longtime undisclosed ties**  
**Jake Pearson, The Associated Press**

Donald Trump Jr. has a previously undisclosed business relationship with a longtime hunting buddy who helped raise millions of dollars for his father's 2016 presidential campaign and has had special access to top government officials since the election, records obtained by The Associated Press show. The president's oldest son and Texas hedge fund manager Gentry Beach have been involved in business deals together dating back to the mid-2000s and recently formed a company, Future Venture LLC, despite past claims by both men that they were just friends, according to previously unreported court records and other documents obtained by AP.

**Ivanka Trump never cut ties with the Trump Organization.**  
**That's turned into a problem.**  
**Anita Kumar, McClatchy DC**

Donald Trump isn't the only Trump with potential conflicts of interest in the White House. Ivanka Trump - a senior White House adviser who is doing everything from lobbying the Senate on tax policy to representing her father at a G20 summit of world leaders - will pull in more than \$1 million a year from the family business that has continued to develop luxury resorts across the globe during the Trump presidency.

**The Trump Administration's Campaign to Weaken Civil**  
**Service Ramps Up at the VA**  
**Isaac Arnsdorf, ProPublica**

Last June, President Donald Trump fulfilled a campaign promise by signing a bipartisan bill to make it easier to fire employees of the Department of Veterans Affairs. The law, a rare rollback of the federal government's strict civil-service job protections, was intended as a much-needed fix for an organization widely perceived as broken.

## **Senate**

### **Senate GOP leaders won't try to block Trump's tariffs** **Burgess Everett, Politico**

Republicans have been freaking out about President Donald Trump's steel and aluminum tariffs all month. But don't expect them to do anything about it just yet.

### **Equifax and other credit reporting companies could get surprising benefits in Senate banking deregulation bill** **Jim Puzzanghera, Los Angeles Times**

Equifax Inc. was publicly excoriated by senators last fall for its massive data breach. Now, the company and other credit reporting firms are in line to get some last-minute benefits in a banking deregulation bill that originally was designed to punish them by adding new consumer rights.

---

## **House**

### **Despite Mueller's Push, House Republicans Declare No Evidence of Collusion** **Nicholas Fandos, The New York Times**

Even as the special counsel expands his inquiry and pursues criminal charges against at least four Trump associates, House Intelligence Committee Republicans said on Monday that their investigation had found no evidence of collusion between Donald J. Trump's presidential campaign and Russia to sway the 2016 election. Representative K. Michael Conaway, the Texas Republican who is leading the investigation, said committee Republicans agreed with the conclusions of American intelligence agencies that Russia had interfered with the election, but they broke with the agencies on one crucial point: that the Russians had favored Mr. Trump's candidacy.

**Trump Jr. rallies voters for Saccone on eve of election**  
**Chris Potter, Pittsburgh Post-Gazette**

Voters go to the polls today after a long run-up in the national spotlight to the special election for the seat vacated by Tim Murphy last year. Donald Trump Jr., the son of President Donald Trump, appeared alongside state Rep. Rick Saccone on Monday - a day on which polling data showed momentum shifting in favor of Mr. Saccone's Democratic rival, Conor Lamb.

**Inside the DCCC's stealth effort to help Conor Lamb**  
**Alex Roarty, McClatchy DC**

Publicly, the Democratic Congressional Campaign Committee did little to help Conor Lamb. Behind the scenes was a different story.

**137 U.S. House Democrats sign letter urging action against Russia**  
**Patricia Zengerle, Reuters**

Over two-thirds of U.S. House of Representatives Democrats urged President Donald Trump to enact sanctions on Russia, the latest push by lawmakers for a response to investigators' findings that Russia interfered in the 2016 U.S. election. At least 137 of the Democrats in the House signed a letter, seen by Reuters on Monday, "strongly urging" Trump to adhere to a law he signed last summer imposing sanctions on those who do business with Russia's military and intelligence sectors.

---

## **States**

**States vow to fight offshore drilling by any means at their disposal**  
**Danielle Muoio and Marie J. French, Politico**

The Trump administration may have the power to control what happens in federal waters, but state leaders are vowing to make it as difficult as

possible for the White House to advance its offshore drilling plan. The move has drawn opposition from both Democratic and Republican leaders in nearly every affected state and mobilized the environmental community.

**Bill Dix resigns from Iowa Senate after video with lobbyist is posted**

**William Petroski et al., The Des Moines Register**

Sen. Bill Dix, the leader of the Iowa Senate's Republican majority, resigned Monday, just hours after video was posted online showing him apparently kissing a lobbyist at a Des Moines tavern earlier this month. Dix met briefly with his Republican colleagues behind closed doors at 1 p.m.

**Holder to Wisconsin to pump judge race**

**Edward-Isaac Dove, Politico**

Eric Holder is heading to Wisconsin to campaign this week as Democrats there aim to turn a race for state Supreme Court into the next nationalized race after Tuesday's Pennsylvania special House election. The election is April 3, and Holder is backing Rebecca Dallet, a Milwaukee County circuit court judge.

---

## **Advocacy**

**Conservative groups pressure Congress to nix Obamacare bills in spending bill**

**Robert King, Washington Examiner**

Conservative groups are pressuring Congress to not include two bills intended to stabilize Obamacare's insurance exchanges in a two-year spending package coming up this month. A letter from organizations including Heritage Action, Club for Growth, Freedom Partners,

FreedomWorks and Americans for Prosperity to members of Congress called the two bills "taxpayer bailouts."

### **Wendy Davis leaves door open to Planned Parenthood gig** **Reena Flores and Anna Palmer, Politico**

Could Wendy Davis, the former Texas state senator who rose to national prominence after her marathon 2013 filibuster protesting an anti-abortion bill, be in the running to next head of Planned Parenthood? The prominent Democratic surrogate isn't ruling out the possibility.

### **A Message from CVS Health:**

#### **CVS Health: Making Health Care More Affordable**

At CVS Health, we're working to reduce health care costs by:

- Providing cost-effective service at more than 1,100 MinuteClinic locations nationwide
- Encouraging the use of lower-cost generic drugs that work as well as brand names
- Helping patients take the right medicine at the right time just as their doctor ordered

We're saving lives. And billions each year in medical costs.

[Learn more.](#)

## **Opinions, Editorials and Perspectives**



**Congress Must Act Quickly to End IRS Abuse and Protect Donor Privacy**

**Timothy Lee, Morning Consult**

Over the past year, we've witnessed a welcome campaign of deregulation and government reform from the Trump administration and Congress, with palpably positive results. The most fearsome federal agency of all, however, remains in desperate need of permanent reform.

**Who's afraid of the NRA? Trump.**

**Editorial Board, The Washington Post**

"We're going to get things done." So said President Trump last month assuring students, teachers and parents affected by school shootings of his resolve to find solutions to gun violence.

**The National Security Tariff Ruse**

**The Editorial Board, The Wall Street Journal**

Conservatives rightly criticized President Obama for stretching the law to issue executive edicts. The same scrutiny should attend the Trump Administration's dubious use of national security and Section 232 to justify its new tariffs on steel and aluminum.

**Democrats Can't Win if They Don't Run**

**The Editorial Board, The New York Times**

Regardless of who wins the special House election in Pennsylvania on Tuesday, the Democratic candidate, Conor Lamb, has already accomplished something impressive by showing that his party ought to contest every election - no matter how daunting the odds. "You miss 100 percent of the shots you don't take," goes the line often attributed to the hockey great Wayne Gretzky and quoted in school gymnasiums ever since.

**The Most Unnerving Visit to the Middle East in a Long Time**  
**Lindsey Graham, The Wall Street Journal**

I recently returned from the Middle East, where I visited Jordan and Israel. I have been to the region many times, and this was the most unnerving visit I've taken in a long time.

**Research Reports and Polling**

**Dem Gains in CD18 Special**  
**Monmouth University Polling Institute**

Democrat Conor Lamb has taken a lead over Republican Rick Saccone in the special election for Pennsylvania's 18th Congressional District. The Monmouth University Poll finds PA18 voters are divided on whether recently announced steel tariffs will help or hurt the local economy, but very few say this policy will influence their vote in Tuesday's election to fill the open House seat.



This email was sent by: Morning Consult  
PO Box 27068 Washington, DC, 20038, US

[Manage your email preferences](#)

**SUBSCRIBE**

~~~~~  
~~~~~  
~~~~~  
~~~~~

!!!! Unsubscribe

!!!!

It appears that you have subscribed to commercial messages from this sender.  
To stop receiving such messages from this sender, please unsubscribe : <[http://secure-web.cisco.com/lanT-2c5-o4dMbRCmj-B3SM-\\_XUIaClOBrktfMKS5e6LWA74hJhiq\\_15MESaL76gToytqgd3iPMDfbgKInOx1UN0R R1-iWyPqB7HADb0v9WJKy3SvOMnG4NiQclGGeR9h3R3efqynvfi744y9o\\_-lFPxx8XRNYhfr4UBQtwTqYFTlWEnlI3zNSqUos4u8dxZIOKCahx1A2HTOaCZhMfLeWz5wiPqBEFwNi\\_XF-nFyXEB1q3S-JNshAK5nw20T4Zs9jeIyem0slSOgraoIeQuAfPWCqlpG78Fomqgs8k9qBVogFgwic sBn8TIY6NBtYQ3vb0daPuD5U1Pnqsy6QwJd8ozlV-JKZufmIjULQziwE2EiZ4exB4oVzsYm1IbZ07aMgkdLX20LYpsdeaxJ2M20AKepyRg6VONZwAmEYg2slyvmmbl2yvvhBMCKA\\_w0NlumIVe6Hr\\_fh5YG8\\_r9xOpFsdA/1126%3Amailto%3Aleave-fd23157175626b2531492c-fe65107170640c797510-fed117747466067f-fe9413727161047c7d-ffcf14%40leave.e.morningconsult.com186%3Ahttps%3A%2F%2Fclick.e.morningconsult.com%2Fprofile\\_center.aspx%3Fqs%3D1d36eeee652102200a0d8d6ebc6f06003913205fcdd46d507bd539f36027b69efb2f1a05e83cae332ad2f911f8949617244a816050ef9cb3c8b0127168ac60b8135%3Ahttps%3A%2F%2Fclick.e.morningconsult.com%2F%3Fqs%3D1bd2076a991766a04d5ee77c8f9b0fb682061a4a68d8e981b17b8bb13f4dd3959379231e33a70e3d7e06d8dfc81b5d0e](http://secure-web.cisco.com/lanT-2c5-o4dMbRCmj-B3SM-_XUIaClOBrktfMKS5e6LWA74hJhiq_15MESaL76gToytqgd3iPMDfbgKInOx1UN0R R1-iWyPqB7HADb0v9WJKy3SvOMnG4NiQclGGeR9h3R3efqynvfi744y9o_-lFPxx8XRNYhfr4UBQtwTqYFTlWEnlI3zNSqUos4u8dxZIOKCahx1A2HTOaCZhMfLeWz5wiPqBEFwNi_XF-nFyXEB1q3S-JNshAK5nw20T4Zs9jeIyem0slSOgraoIeQuAfPWCqlpG78Fomqgs8k9qBVogFgwic sBn8TIY6NBtYQ3vb0daPuD5U1Pnqsy6QwJd8ozlV-JKZufmIjULQziwE2EiZ4exB4oVzsYm1IbZ07aMgkdLX20LYpsdeaxJ2M20AKepyRg6VONZwAmEYg2slyvmmbl2yvvhBMCKA_w0NlumIVe6Hr_fh5YG8_r9xOpFsdA/1126%3Amailto%3Aleave-fd23157175626b2531492c-fe65107170640c797510-fed117747466067f-fe9413727161047c7d-ffcf14%40leave.e.morningconsult.com186%3Ahttps%3A%2F%2Fclick.e.morningconsult.com%2Fprofile_center.aspx%3Fqs%3D1d36eeee652102200a0d8d6ebc6f06003913205fcdd46d507bd539f36027b69efb2f1a05e83cae332ad2f911f8949617244a816050ef9cb3c8b0127168ac60b8135%3Ahttps%3A%2F%2Fclick.e.morningconsult.com%2F%3Fqs%3D1bd2076a991766a04d5ee77c8f9b0fb682061a4a68d8e981b17b8bb13f4dd3959379231e33a70e3d7e06d8dfc81b5d0e)>

~~~~~  
~~~~~  
~~~~~  
~~~~~

<div style="border: 1px solid;margin: 10px 0px;padding: 15px 10px 15px 50px;background-repeat: no-repeat;background-position: 10px center;color: #9F6000;background-color: #FEEFB3;font-family: Arial, Helvetica, sans-serif;">

<p style="font-size: 18px;">Unsubscribe</p>

<p style="font-size: 13px;">It appears that you have subscribed to commercial messages from this sender.

To stop receiving such messages from this sender, please <a href=http://secure-web.cisco.com/1anT-2c5-o4dMbRCmj-B3SM-\_XUIaClOBrtfMKS5e6LWA74hJhiq\_15MESaL76gToytqgd3iPMDfbgKInOx1UN0RRl-iWyPqB7HADb0v9WJKy3SvOMnG4NiQclGGeR9h3R3efqynvfi744y9o\_-lFPxx8XRNYhfr4UBQtwTqYFTlWEnli3zNSqUos4u8dxZIOKCahxlA2HTOaCzhMfLeWz5wiPqBEFwNi\_XF-nFyXEB1q3S-JNsHAK5nw20T4Zs9jeIyem0slSOgraoIeQuAfPWcq1pG78F0mqgS8k9qBVogFgwicSbn8TIY6NBtYQ3vb0daPuD5U1Pnqsy6QwJd8ozlV-JKZufmIjULQziwE2EiZ4exB4oVzsYmlIbZ07aMgkdLX20LYpsdeaxJ2M20AKepyRg6VONZwAmEYg2slyvmb12yvhBMCKA\_wONlumIVE6Hr\_fh5YG8\_r9xOpFsdA/1126%3Amailto%3Aleave-fd23157175626b2531492c-fe65107170640c797510-fed117747466067f-fe9413727161047c7d-ffcf14%40leave.e.morningconsult.com186%3Ahttps%3A%2F%2Fclick.e.morningconsult.com%2Fprofile\_center.aspx%3Fqs%3D1d36eeee652102200a0d8d6ebc6f06003913205fcdd46d507bd539f36027b69efb2f1a05e83cae332ad2f911f8949617244a816050ef9cb3c8b0127168ac60b8135%3Ahttps%3A%2F%2Fclick.e.morningconsult.com%2F%3Fqs%3Dalbd2076a991766a04d5ee77c8f9b0fb682061a4a68d8e981b17b8bb13f4dd3959379231e33a70e3d7e06d8dfc81b5d0e>unsubscribe</a></p>

</div>

**From:** Max Behlke  
**Sent:** Monday, October 2, 2017 6:01 PM  
**To:** Rep93  
**Subject:** NCS Capitol to Capitol: Congress Shifts to Tax Reform

### Unsubscribe

It appears that you have subscribed to commercial messages from this sender. To stop receiving such messages from this sender, please unsubscribe



## Capitol to Capitol

NATIONAL CONFERENCE of STATE LEGISLATURES



Oct. 2, 2017

## **Congress Shifts to Tax Reform**

On Sept. 27, Trump and the "Big Six"— which includes Senate Majority Leader Mitch McConnell (R-Ky.), Speaker Paul Ryan (R-Wis.), Senate Finance Chairman Orrin Hatch (R-Utah), House Ways and Means Chairman Kevin Brady (R-Texas), Treasury Secretary Steven Mnuchin and National Economic Council Director Gary Cohn — released their "unified framework" for overhauling the U.S. tax code. The nine-page document will serve as a starting point for tax writers in both the House and the Senate to hash out the rest of the details.

But before it fleshes out the details of tax reform, Congress will need to pass a budget resolution that includes tax reform instructions so that it can then use budget reconciliation for tax reform. Budget reconciliation is a legislative maneuver that allows the majority in the Senate to bypass the filibuster process, allowing them to pass legislation with 51 votes, instead of the normal 60. The House is expected to vote on its FY 2018 budget on Thursday. In the Senate, the full Budget Committee is expected to mark up its budget plan, which is quite different than the House bill, later this week.

Concerning tax reform, the Senate budget would allow tax writers to add as much as \$1.5 trillion to the deficit over 10 years, but the House budget would not allow a tax plan to add to the deficit. This is just one of several differences that the two chambers will have to reconcile before moving forward on a tax package. Budget aside, the White House is optimistic for a tax plan to move quickly through Congress. "We would hope to be in the Senate in November," Cohn told reporters last week. "And we would hope to have a bill done by this year."

Meanwhile, the administration and GOP leaders will need to package this plan and sell it to the public as tax relief for the middle class and not a windfall for the wealthiest Americans if they want the reform to make it across the finish line. They will also need to secure the necessary votes in the Senate, which is anything but assured given that the slim Republican majority can ill-afford to lose votes of support.

In sum, enacting a tax plan this year might be overly optimistic given the tight congressional calendar and lack of agreement on key policy details. While Republicans are desperate for a win and a legislative victory, tax reform is by no means an easy feat and the process may continue well into 2018.

NCSL Contacts: Max Behlke; Jake Lestock

## NCSL Urges Preservation of the SALT Deduction

On Sept. 27, NCSL released the following statement regarding the tax reform framework:

*As a central tenet of tax reform is to provide tax relief for the middle class, NCSL is dismayed that the released framework will eliminate a deduction that is vital to middle class taxpayers, the State and Local Tax (SALT) deduction. The SALT deduction has existed in the federal tax code since its inception, which coincidentally was also when the federal tax code was at its simplest, because federal tax writers were cognizant to not tax an individual's income twice.*

*Eliminating this deduction will lead to higher tax burdens for tens of millions of middle class taxpayers of every political affiliation, an outcome contrary to the stated goal of providing meaningful relief to taxpayers. The elimination of the SALT deduction also impedes the ability of states to invest in infrastructure, fund education, and provide the vital public services that Americans expect from their state and local governments.*

*Ensuring that the incomes of American workers are not taxed twice hardly counts as a special interest tax break or loophole that needs to be closed. NCSL strongly supports preservation of the SALT deduction and opposes any attempt to harm middle class taxpayers and their communities.*

*Protect state taxpayers. Protect local decision making. Protect SALT.*

NCSL Contacts: Max Behlke; Jake Lestock

**DYK?** The Coinage Act of 1792 established the U.S. Mint, created the dollar as the nation's standard unit of money, and regulated the country's coinage. Specifically, the law specified that \$10, \$5 and \$2.50 coins (known as eagles, half-eagles and quarter-eagles) were to be made of their face value in gold; while the dollar, half-dollar, quarter-dollar, dime and half-dime coins were to be made of their value in silver. Criminals found that they could make a profit by filing shavings from the sides of gold and silver coins, and selling it. It did not take long for the U.S. Mint to begin adding ridges to the coins' edges, a process called "reeding," to make it impossible to shave them down without the result being obvious. As a side benefit, the reeded edges make counterfeiting more difficult.

## SCOTUS Gerrymandering Case Could Reshape American Politics

"There is only one prediction that is entirely safe about the upcoming term, and that is it will be momentous."

- Justice Ruth Bader Ginsburg, Sept. 20, 2017

Today, the Supreme Court of the United States (SCOTUS) returns for what could be one of the most consequential terms of the court in recent memory. In addition to cases on immigration, religious freedom, and privacy already on the docket, it will hear oral arguments in a case about partisan gerrymandering in Wisconsin, where a federal court in November 2016 struck down a legislative map for being too partisan. In *Gill v. Whitford*, a panel of three federal judges ruled that the Wisconsin State Assembly map adopted in 2011 violated the First and 14th Amendments to the Constitution. If the court ultimately rules against the plaintiffs, it could mean that no amount of partisan bias could make electoral districts unconstitutional. But on the flipside, if the court sides with the plaintiffs, it could ultimately lead to drastic changes of electoral maps and how state legislatures draw them.

### DYK? On this day in...

- **1996:** President Bill Clinton signed the Electronic Freedom of Information Act Amendments (E-FOIA), which required executive branch agencies to make certain types of records, created on or after Nov. 1, 1996, to be made available electronically. The amendments also required agencies to provide electronic reading rooms for citizens to use and extended the response time to FOIA requests from 10 days to 20 business days.
- **1980:** Pennsylvania Congressman Michael Myers became the first member of either chamber of Congress to be expelled since the Civil War, for his involvement in the Abscam scandal. As part of the public corruption investigation, Myers was videotaped accepting a \$50,000 bribe from undercover FBI Agents.
- **1967:** Thurgood Marshall was sworn in as the first African-American justice of the Supreme Court of the United States.

## Senate Releases Bipartisan Autonomous Vehicle Legislation That Pre-empts States

On Sep. 28, Senate Commerce Committee Chairman John Thune (R-S.D.), and Senators Gary Peters (D-Mich.), Roy Blunt (R-Mo.), and Debbie Stabenow (D-Mich.) unveiled legislation regarding autonomous vehicles—the American Vision for Safer Transportation Through Advancement of Revolutionary Technologies (AV START)



Act. The AV START Act is similar to the House passed SELF DRIVE but it also contains several significant differences as well as areas of concerns for states, notably in the areas of pre-emption and safety evaluation reports. The Commerce Committee will consider the legislation at a markup schedule for Oct. 4.

#### **Pre-emption**

The Senate committee bill currently includes a pre-emption section identical to that included in the bill passed by the House. Specifically, the language would pre-empt states from regulating the performance of automated driving systems (ADS) as well as any "unreasonable restrictions" concerning registration, licensing, driving education and training, insurance, law enforcement, crash investigations, safety and emissions inspections, congestion management of vehicles on the street within a state or political subdivision of a state, or traffic on the design, construction, or performance of highly automated vehicles or ADS. **NCSL Urges State Legislators to Contact their Congressional Delegations to Voice their Opposition to the Pre-Emption.**

Additionally, the bill would prohibit a state from issuing licenses for a dedicated highly automated vehicle (DHAV), which the bill defines as a level 4 or 5 automated vehicle, in a way that discriminates against those with disabilities.

A full NCSL analysis of the AV START legislation can be read [here](#).

*NCSL Contacts:* Ben Husch; Kristen Hildreth

### **A Deeper Dive on Transportation, Energy, Environment and Agriculture Policy**

For those looking for a deep dive on federal Transportation, Energy, Environment and Agriculture topics, please check out the September editions of our Natural Resources and Infrastructure Committee's three monthly newsletters:

- Energy & Agriculture Update - latest federal developments influencing agriculture and energy policy
- Environment Update - latest federal developments on environment policy
- Transportation Update - latest federal developments on transportation policy

*NCSL Contacts:* Ben Husch; Kristen Hildreth

**DYK?** Russia did not consider beer, or any beverage that contained less than 10 percent alcohol, to be alcoholic until 2011. They previously classified it as a soft drink. The new restrictions were signed off by then

President Dmitry Medvedev as part of an attempt to counter alcohol abuse, which he earlier called a "national calamity."

## **Supreme Court Will Hear Far-Reaching Union Case**

The Supreme Court of the United States agreed on Thursday to hear *Janus v. AFSCME*, a case challenging the legality of union fees that could have serious ramifications for public sector unions. The case revolves around Illinois state employee Mark Janus, who contends the requirement that he pay union fees to the American Federation of State, County, and Municipal Employees (AFSCME) violates his free speech rights. The justices considered this issue once before, when the Court took up *Friedrichs v. California Teachers Association* last year. That case was brought by a California teacher, Rebecca Friedrichs, and resulted in a 4-4 deadlock following the death of Justice Antonin Scalia. Should the justices vote the same way, Neil Gorsuch will be in a position to offer the final tie-breaking vote.

NCSL Contacts: Joan Wodiska, Lucia Bragg

## **Trump Signs Hurricane Relief Legislation for Schools, Issues Hurricane Relief Guidance**

The president signed S. 1866 into law on Friday after the bill passed through Congress last week. The bill offers various forms of support for schools and colleges impacted by the recent hurricanes. Specifically, the law:

- Allows the U.S. Department of Education to waive a requirement that higher education institutions contribute matching funds as part of the Federal Work Study and Supplemental Educational Opportunity Grant programs.
- Redistributes the unused funds in those programs to colleges affected by the hurricanes.
- Provides access for private schools to funds available under the Project School Emergency Response to Violence program.

The law comes on the heels of new non-regulatory hurricane relief guidance, issued by the department on Sept. 22. The guidance identifies areas of federal law that are subject to flexibility and waivers for grantees and program participants impacted by natural disasters. The guidance focuses on support and flexibility options available to schools, state educational agencies, state lead agencies, local educational agencies, local early intervention service programs and providers, State Vocational Rehabilitation agencies, the Department of the Interior's Bureau of Indian Education (BIE)-funded schools, Tribes, and postsecondary institutions with a

focus on the 2017 hurricanes. The department will hold a webinar discussing the details of the guidance on Thursday, Oct. 5 at 2 p.m. ET. Interested participants may register [here](#).

NCSL Contacts: Joan Wodiska, Lucia Bragg

## **HHS Secretary Pays Price for Travel**

On Friday, Health and Human Services Secretary Tom Price resigned for his use of private charter and military jets to travel around the country at taxpayer expense. Don Wright, a longtime U. S. Health and Human Services (HHS) career employee, doctor and public health expert was named acting HHS secretary Friday following Price's resignation. Soon after Price stepped down, Washington began speculating about possible candidates for his replacement, including:

- Scott Gottlieb, the commissioner of the Food and Drug Administration
- Seema Verma, the administrator of the Centers for Medicare and Medicaid Services
- David Shulkin, the secretary of veterans affairs
- Former Louisiana Governor Bobby Jindal
- Florida Governor Rick Scott

NCSL Contact: Haley Nicholson

## **Also of Note...**

Federal Funding for the Children's Health Insurance Program (CHIP), which covers 9 million children, expired on Sept. 30. If Congress does not act, the Kaiser Family Foundation expects 10 states to run out of money for the program by the end of the year, and 21 states will be out of money by March 2018.

NCSL Contact: Haley Nicholson

The National Flood Insurance Program, a federal program that aims to provide affordable flood insurance to property owners, has depleted its borrowing authority after a series of devastating hurricanes over the past several weeks. The Federal Emergency Management Agency (FEMA), which runs the program, notified Congress on Sept. 20 that it borrowed \$5.8 billion from the Treasury to fund losses this year, including those incurred by Hurricanes Harvey and Irma, and "anticipated programmatic activities." The balance of FEMA's remaining borrowing authority is now zero, according to the agency.

NCSL Contact: Ethan Wilson

Read the Sept. 25, 2017, Capitol-to-Capitol.

If you have comments or suggestions, please contact [Max Behlke](#).

[Read More](#)

*Capitol to Capitol is a publication of the National Conference of State Legislatures. NCSL is recognized as a formidable lobbying force in Washington, D.C. NCSL works to protect states from unfunded federal mandates and unwarranted federal pre-emption of state authority, and seeks to provide state legislatures the flexibility they need to innovate and be responsive to the unique needs of their residents. NCSL's advocacy is guided by the [policy directives and resolutions](#) adopted during NCSL's Legislative Summit.*



© National Conference of State Legislatures

Denver: 303-364-7700

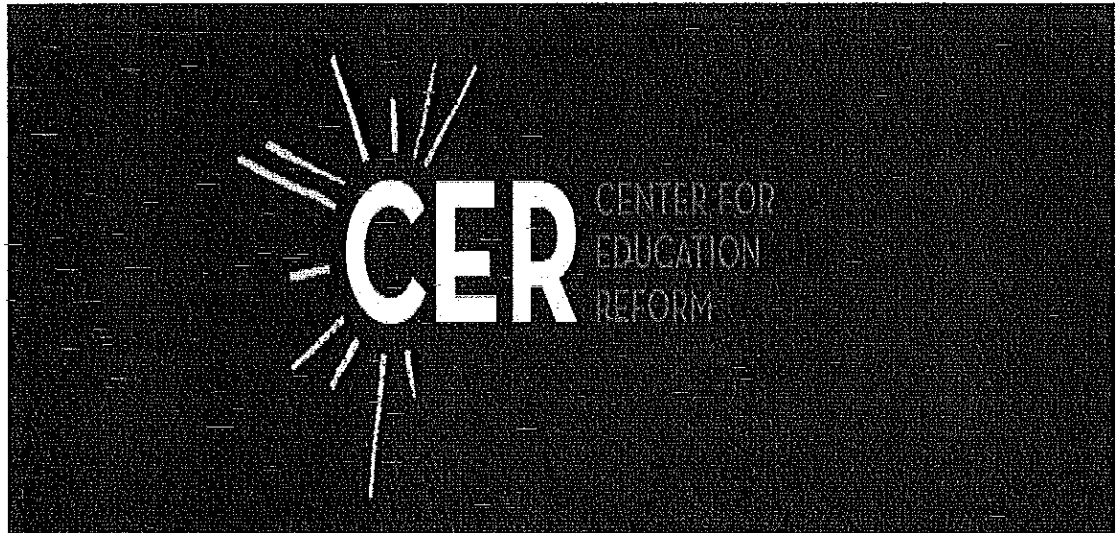
Washington: 202-624-5400

[Unsubscribe](#) from these messages.

7700 East First Place, Denver, CO 80230

= A

No Images? [Click here](#)



# newswire@

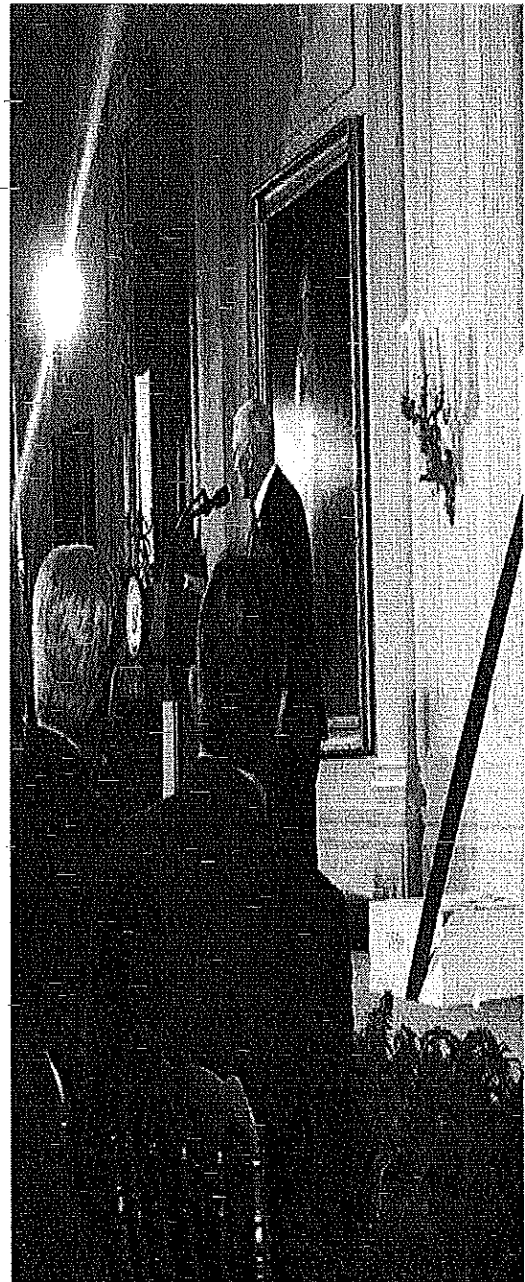
A weekly report on education news & commentary from the nation's leading voice on education innovation and opportunity

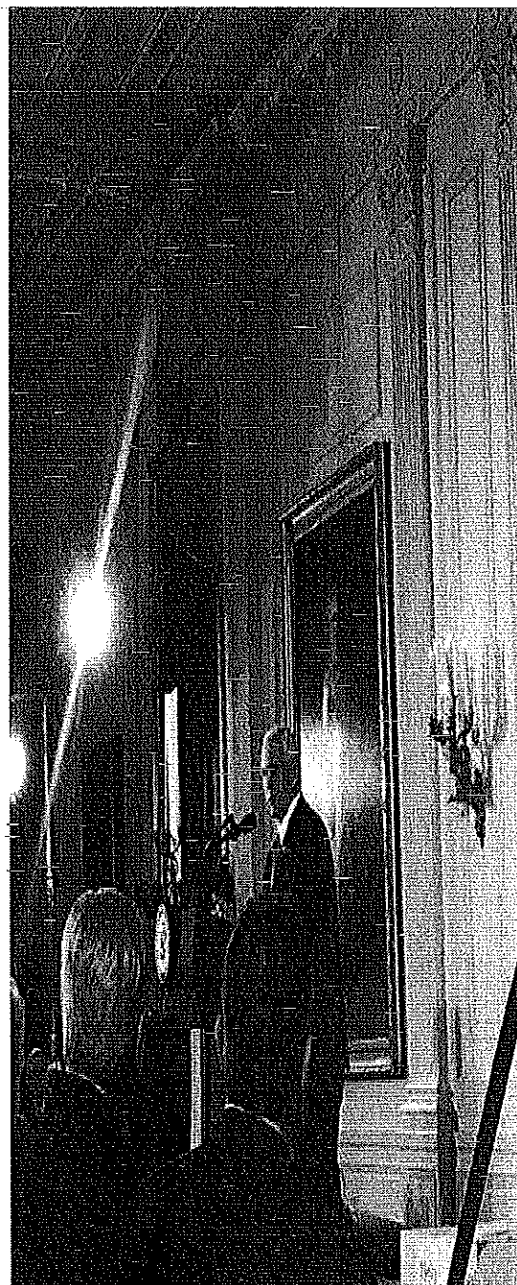
**BLACK COLLEGES & CHARTER SCHOOLS.** In opeds appearing around the country, Johnny C. Taylor, Jr., CEO of the Thurgood Marshall College Fund says HBCUs are intricately connected to the movement for better opportunities for students and opposition from groups like the NAACP and the AFT aren't helpful whatsoever. "Better parental choices are, frankly, a matter of life or death for many of our country's Historically Black Colleges & Universities. And the only way to impact that is to ensure that high-quality secondary school choices abound and that parents are aware of the options that exist to help them take their families out of traditional district schools that have long failed

their precious youth." More at the CER [Voices of Color, Voices for Opportunity](#) page and [here](#) .

**UNCHAINED MELODY.** Yesterday was "Cut the Red Tape" day in Washington. We participated at the White House kick-off hosted by VP Mike Pence. No matter where you stand politically, you've gotta give this Administration credit for its honest efforts to trim back the regulatory briar patch that entangles us all. The Council of Economic Advisors has issued a nifty report on the subject, "The Growth Potential of Deregulation". We voted "Cyes" on ending bureaucracy and made our feelings on the subject known last January in our own nifty little report, "[The First Hundred Days: The path to going bold on education innovation & opportunity](#)". Among the recommendations - a commission to explore opportunities to send funds to states to use on innovative, flexible learning arrangements. We recommended the ED Feds also "review all federal regulations and the thousands of non-statutory guidelines that are essentially bureaucratic dictates accumulated over time, governing the distribution of state and local funds such that states might feel free to do as the law intended, but that federal policy was created to obscure." They have indeed undertaken that process. A report that promises to identify bureaucratic offenders with a recipe for change is expected by year's end.

**A REAL STEM-WINDER.** In another White House-driven initiative, last week the President sent an official memorandum to the Secretary of Education; subject: "Increasing Access to High-Quality Science, Technology, Engineering, and Mathematics (STEM) Education." The memo directs the Secretary to make STEM education "...including, in particular, computer science," a priority, and to take it into account when awarding grant funds. The initiative has a goal of devoting at least \$200 million in grant funds to the effort per year beginning in FY '18, which began October 1. Exactly when these funds kick-in and how to go about getting them is not yet known, and we'll let you know more as soon as we can find someone with some answers. In the meantime, all innovators, charters and innovative districts within the sound of our voice, should be working up grant proposals NOW!





**DON'T MISS OUT. EDTECH NY IS ON THE HORIZON.** New York Ed Tech Week, The Global Education Innovation Festival, is coming up December 18-20, and you may want to make plans to attend while early-bird tickets are still available. Join great people, important topics and informative speakers (including CER's own Jeanne Allen). It is really a must-attend year-end event.



Produced by StartED, Ed Tech Week facilitates some of the most impactful and memorable ed-tech experiences of the year, bringing together more than 200 companies, 200 investors, and 1,500 attendees which includes technology innovators, early-stage investors, EdTech entrepreneurs, media representatives, policymakers, corporations, educators, and students.

---

Founded in 1993, the Center for Education Reform aims to expand educational opportunities that lead to improved economic outcomes for all Americans — particularly our youth — ensuring that conditions are ripe for innovation, freedom and flexibility throughout U.S. education.

[@edreform](#) | [edreform.com](#)

The Center for Education Reform  
1901 L Street, NW, Suite 705  
Washington, DC 20036

= A

[Preferences](#) | [Unsubscribe](#)

**From:** Nikki Comerford  
**Sent:** Wednesday, October 4, 2017 7:18 AM  
**To:** Rep93  
**Subject:** WATCH LIVE TODAY AT 12:30 (CT) A talk on tax reform



From the desk of

**Nikki Comerford**

Events Manager

[ncomerford@heartland.org](mailto:ncomerford@heartland.org)

312/377-4000

---

Our friends at Americans for Prosperity are hosting an event at The Heartland Institute on Wednesday, October 4. I hope you can watch it live!

--Nikki

---



**AMERICANS FOR  
PROSPERITY®**

**ILLINOIS**

**Hate doing taxes every year?**

You're not alone. America's tax code is endlessly complex, convoluted, and difficult to navigate. Tax preparation costs **Americans more than \$230 billion** each year. Our tax code is clearly broken.

*But there is hope for tax relief this year!*

Congress is making comprehensive tax reform a major legislative priority. I'd like to personally invite you to join AFP Illinois on Wednesday, October 4, for a lunchtime tax reform panel discussion featuring two former members of Congress who have excellent credentials: Joe Walsh (R-IL), who has a lifetime AFP score of 100%, and Tim Huelskamp (R-KS), who has a lifetime AFP score of 98%.

**WATCH LIVE!**

This is an exciting opportunity to learn more about AFP's positive vision to

unrig the American economy and Congress's once-in-a-generation opportunity to pass pro-growth tax reform.

**WHAT:** *AFP-Illinois presents:* A tax reform panel discussion with former congressman and Heartland Institute President Tim Huelskamp and former congressman and current talk show host Joe Walsh.

**WHERE:** The Heartland Institute, 3939 North Wilke Road, Arlington Heights, IL 60004.

**WHEN:** Wednesday, October 4, 12:30 p.m. to 2:00 p.m.

**WATCH LIVE**

This email was sent by:

The Heartland Institute  
3939 North Wilke  
Arlington Heights, IL 60004  
312-377-4000

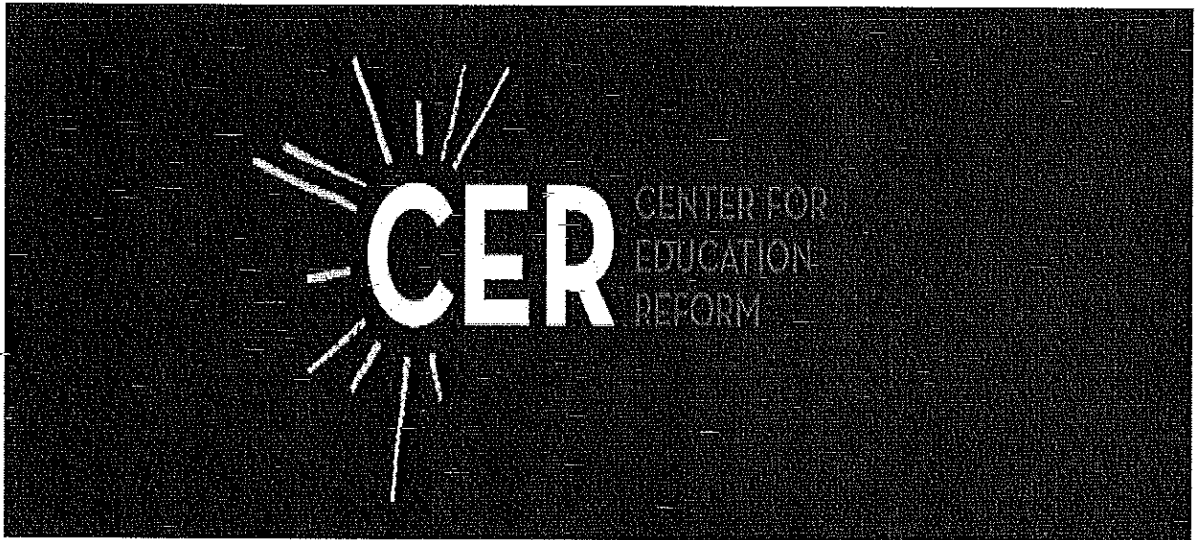
This message was sent to [rep93@ohiohouse.gov](mailto:rep93@ohiohouse.gov) from [ncomerford@heartland.org](mailto:ncomerford@heartland.org)

Nikki Comerford  
The Heartland Institute  
3939 North Wilke Road  
Arlington Heights, IL 60004



**Unsubscribe**

No Images? [Click here](#)



October 4, 2017

## **Memo to Reporters**

From: Jeanne Allen, founder & CEO, the Center for Education Reform

### **Re: U.S. Supreme Court case holds promise for teacher freedoms**

Leaders of organizations and schools across the education reform arena are enthusiastic that on Thursday, September 28, the Supreme Court of the United States (SCOTUS) agreed to hear arguments in *Janus v. AFSCME*. The case was brought forth by Mark Janus, an Illinois Department of Healthcare and Family Services public employee who believes that forced unionism and the mandatory paying of fees violates his First Amendment rights. A favorable outcome in *Janus* could pave the way for a loosening on the stranglehold of other public sector employees compelled to pay mandatory union fees. Public school teachers, in particular, stand to benefit from the freedom that would allow them to make their own decisions as to whether or not they pay union dues and fees.